



King County

**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**November 19, 2007**

**Ordinance 15971**

**Proposed No.** 2007-0608.2

**Sponsors** Lambert, Ferguson, Constantine,  
Hague, Dunn, von Reichbauer,  
Patterson and Phillips

1 AN ORDINANCE relating to the organization of records,  
2 elections and licensing services delivery within the  
3 executive branch; and amending Ordinance 11348, Section  
4 4, as amended, and K.C.C. 1.05.040, Ordinance 13932,  
5 Section 3, and K.C.C. 1.05.105, Ordinance 11348, Section  
6 6, as amended, and K.C.C. 1.05.115, Ordinance 8627,  
7 Section 3, and K.C.C. 1.06.030, Ordinance 8627, Section 4,  
8 and K.C.C. 1.06.040, Ordinance 9391, Section 1, as  
9 amended, and K.C.C. 1.08.020, Ordinance 8113, Sections 2  
10 through 3, as amended, and K.C.C. 1.10.020, Ordinance  
11 8113, Section 4, and K.C.C. 1.10.030, Ordinance 8113,  
12 Section 7, and K.C.C. 1.10.060, Ordinance 8113, Section 8,  
13 as amended, and K.C.C. 1.10.070, Ordinance 884, Section  
14 1, as amended, and K.C.C. 1.12.010, Ordinance 1053,  
15 Sections 1 and 2, as amended, and K.C.C. 1.12.020,  
16 Ordinance 1346, Section 1, and K.C.C. 1.14.010,  
17 Ordinance 1346, Section 2, and K.C.C. 1.14.020,

18 Ordinance 1346, Section 3, and K.C.C. 1.14.030,  
19 Ordinance 1346, Section 4, and K.C.C. 1.14.040,  
20 Ordinance 1346, Section 5, and K.C.C. 1.14.050,  
21 Ordinance 159, Section 4, as amended, and K.C.C.  
22 1.16.040, Ordinance 159, Section 5, as amended, and  
23 K.C.C. 1.16.050, Ordinance 159, Section 6, as amended,  
24 and K.C.C. 1.16.060, Ordinance 834, Section 1, as  
25 amended, and K.C.C. 1.16.100, Ordinance 8024, Section 2,  
26 and K.C.C. 1.18.020, Ordinance 8024, Section 5, and  
27 K.C.C. 1.18.050, Ordinance 8024, Section 6, and K.C.C.  
28 1.18.060, Ordinance 8024, Section 7, and K.C.C. 1.18.070,  
29 Ordinance 8024, Section 8, and K.C.C. 1.18.080,  
30 Ordinance 695, Section 2, as amended, and K.C.C.  
31 2.12.020, Ordinance 10698, Section 2, and K.C.C.  
32 2.12.035, Ordinance 5962, Section 2, as amended, and  
33 K.C.C. 2.12.080, Ordinance 1660, Sections 1 through 2, as  
34 amended, and K.C.C. 2.12.120, Ordinance 12075, Section  
35 1, and K.C.C. 2.12.160, Ordinance 9168, Section 2, and  
36 K.C.C. 2.12.170, Ordinance 12550, Section 2, as amended,  
37 and K.C.C. 2.14.020, Ordinance 14199, Section 11, as  
38 amended, and K.C.C. 2.16.035, Ordinance 11955, Section  
39 12, as amended, and K.C.C. 2.16.100, Ordinance 394,  
40 Section 5, as amended, and K.C.C. 2.20.050, Ordinance

41 12075, Section 8, and K.C.C. 2.36.030, Ordinance 14482,  
42 Section 7, and K.C.C. 2.49.060, Ordinance 15453, Section  
43 4, and K.C.C. 2.53.031, Ordinance 15453, Section 6, and  
44 K.C.C. 2.53.051, Ordinance 1308, Section 6, as amended,  
45 and K.C.C. 3.04.050, Ordinance 543, Section 4, as  
46 amended, and K.C.C. 3.08.040, Ordinance 543, Section 6,  
47 as amended, and K.C.C. 3.08.060, Ordinance 12014,  
48 Section 4, and K.C.C. 3.08.070, Ordinance 12026, Section  
49 9, and K.C.C. 4.18.080, Ordinance 1888, Article I Section  
50 2, as amended, and K.C.C. 6.01.010, Resolution 6574  
51 (part), as amended, and K.C.C. 6.08.030, Ordinance 10498,  
52 Sections 47 through 60, as amended, and K.C.C. 6.64.660,  
53 Ordinance 5220, Section 2, as amended, and K.C.C.  
54 6.80.020, Ordinance 11177, Section 5, as amended, and  
55 K.C.C. 6.84.030, Ordinance 11177, Section 7, as amended,  
56 and K.C.C. 6.84.050, Ordinance 11177, Section 9, as  
57 amended, and K.C.C. 6.84.070, Ordinance 11177, Section  
58 10, as amended, and K.C.C. 6.84.080, Ordinance 12551,  
59 Section 5, and K.C.C. 6.84.095, Ordinance 1490, Section 3,  
60 as amended, and K.C.C. 8.60.030, Ordinance 4938, Section  
61 10, as amended, and K.C.C. 9.04.120, Ordinance 1269,  
62 Section 1, as amended, and K.C.C. 11.02.010, Ordinance  
63 1396, Article 1 Section 3, as amended, and K.C.C.

64 11.04.020, Ordinance 10423, Section 10, as amended, and  
65 K.C.C. 11.04.590, Ordinance 9464, Section 6, as amended,  
66 and K.C.C. 11.06.060, Ordinance 3732, Section 1, as  
67 amended, and K.C.C. 11.08.040, Resolution 27312, Section  
68 1, as amended, and K.C.C. 11.12.010, Ordinance 2473,  
69 Section 2, as amended, and K.C.C. 11.28.020, Ordinance  
70 3232, Section 2, as amended, and K.C.C. 11.32.020,  
71 Ordinance 11992, Section 13, and K.C.C. 12.16.115,  
72 Ordinance 13981, Section 6, as amended, and K.C.C.  
73 12.17.050, Ordinance 4257, Section 17, as amended, and  
74 K.C.C. 12.46.170, Ordinance 1454, Sections 1 through 3,  
75 and K.C.C. 12.68.010, Ordinance 10154, Section 4, as  
76 amended, and K.C.C. 12.82.040, Ordinance 10393, Section  
77 1, as amended, and K.C.C. 12.82.070, Ordinance 10508,  
78 Section 1, as amended, and K.C.C. 12.82.080, Ordinance  
79 10509, Section 1, as amended, and K.C.C. 12.82.090,  
80 Ordinance 10689, Section 1, as amended, and K.C.C.  
81 12.82.100, Ordinance 10690, Section 1, as amended, and  
82 K.C.C. 12.82.110, Ordinance 10723, Section 1, as  
83 amended, and K.C.C. 12.82.120, Ordinance 10724, Section  
84 1, as amended, and K.C.C. 12.82.130, Ordinance 10793,  
85 Section 1, as amended, and K.C.C. 12.82.140, Ordinance  
86 11006, Section 1, as amended, and K.C.C. 12.82.150,

87 Ordinance 11040, Section 1, as amended, and K.C.C.  
88 12.82.160, Ordinance 11080, Section 1, as amended, and  
89 K.C.C. 12.82.180, Ordinance 11979, Section 1, as  
90 amended, and K.C.C. 12.82.190, Ordinance 11991, Section  
91 1, as amended, and K.C.C. 12.82.200, Ordinance 11071,  
92 Section 1, as amended, and K.C.C. 12.82.400, Ordinance  
93 7444, Section 5, as amended, and K.C.C. 15.90.050,  
94 Ordinance 13694, Section 40, and K.C.C. 19A.08.050,  
95 Ordinance 13694, Section 47, as amended, and K.C.C.  
96 19A.08.120, Ordinance 13694, Section 63, and K.C.C.  
97 19A.16.030, Ordinance 13694, Section 65, and K.C.C.  
98 19A.16.050, Ordinance 13694, Section 75, and K.C.C.  
99 19A.20.060, Ordinance 15137, Section 1, and K.C.C.  
100 20.36.015, Ordinance 10511, Section 7, as amended, and  
101 K.C.C. 20.36.100, Ordinance 4828, Section 7, as amended,  
102 and K.C.C. 20.62.070, Ordinance 10870, Section 330, as  
103 amended, and K.C.C. 21A.08.030, Ordinance 10870,  
104 Section 354, as amended, and K.C.C. 21A.12.170,  
105 Ordinance 10870, Section 364, as amended, and K.C.C.  
106 21A.14.040, Ordinance 10870, Section 406, as amended,  
107 and K.C.C. 21A.18.020, Ordinance 10870, Section 408, as  
108 amended, and K.C.C. 21A.18.040, Ordinance 10870,  
109 Section 464, as amended, and K.C.C. 21A.24.170,

110 Ordinance 12823, Section 16, as amended, and K.C.C.  
111 21A.38.210, Ordinance 13263, Section 10, as amended,  
112 and K.C.C. 23.02.090, Ordinance 13263, Section 22, as  
113 amended, and K.C.C. 23.24.030, Ordinance 13263, Section  
114 23, as amended, and K.C.C. 23.24.040, Ordinance 13263,  
115 Section 24, as amended, and K.C.C. 23.24.050, Ordinance  
116 13263, Section 48, as amended, and K.C.C. 23.40.010.  
117 Ordinance 13263, Section 49, as amended, and K.C.C.  
118 23.40.020, Ordinance 13263, Section 51, as amended, and  
119 K.C.C. 23.40.040 and Ordinance 3688, Section 409(4), as  
120 amended, and K.C.C. 25.16.120.

121

122 STATEMENT OF FACTS:

123 1. One of the most important responsibilities entrusted to King County is  
124 the conduct of elections.

125 2. The King County citizens' elections oversight committee has  
126 recommended that elections be a "stand alone" operation.

127 3 The Elections Center in their audit of King County elections  
128 recommended that elections be a separate division.

129 4. The Municipal League has recommended that elections be a separate  
130 department.

131 5. The director of an elections division will be better able to concentrate  
132 on the critical function of conducting, fair and accurate elections.

133 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

134 SECTION 1. Ordinance 11348, Section 4, as amended, and K.C.C. 1.05.040 are  
135 each hereby amended to read as follows:

136 A. No person other than a political committee shall make contributions during the  
137 election cycle totaling more than one thousand two hundred dollars in the aggregate to  
138 any candidate for executive, county council, sheriff, or assessor, nor shall any political  
139 committee make contributions during the election cycle totaling more than one thousand  
140 two hundred dollars in the aggregate to any candidate for executive, county council,  
141 sheriff, or assessor.

142 B. No candidate for executive, county council, sheriff, or assessor shall accept or  
143 receive during the election cycle campaign contributions totaling more than one thousand  
144 two hundred dollars in the aggregate from any person other than a political committee,  
145 nor shall any such candidate accept or receive during the election cycle campaign  
146 contributions totaling more than one thousand two hundred dollars in the aggregate from  
147 any political committee.

148 C. The limitations in this section shall not apply to:

149 1. A candidate's contributions of his((~~t~~)) or her own resources to his((~~t~~)) or her  
150 own campaign; the limitations imposed by this section shall apply to the contributions of  
151 all others; and

152 2. Independent expenditures as defined by this chapter; and

153 3. The value of in-kind labor; and

154 4. Contributions to or expenditures from public office funds made consistent  
155 with the provisions of RCW 42.17.243.

156 D. Surplus campaign funds, as defined in RCW 42.17.030, from a candidate's  
157 prior campaign and contributions received by a candidate in connection with a campaign  
158 for another office may be used by that candidate for the candidate's current campaign  
159 only to the extent that such funds are derived from contributions that were within the  
160 dollar limitations imposed by this chapter. If such funds are from a campaign not  
161 governed by this chapter, a candidate may use only so much of each contribution  
162 previously received as would have been allowable as a contribution under this chapter if  
163 it had applied to that campaign. The source of a candidate's surplus campaign funds shall  
164 be determined to be derived from the most recent contributions received by such  
165 candidate or that candidate's political committee which in total equal the amount of the  
166 surplus campaign funds. A candidate must file a statement with the ~~((records and))~~  
167 elections division and the Public Disclosure Commission which identifies any funds used  
168 pursuant to this section. The statement shall include the following information for each  
169 amount transferred: The original contributor, original date of contribution, amount  
170 originally contributed, and the portion of each contribution transferred to the current  
171 campaign.

172 SECTION 2. Ordinance 13932, Section 3, and K.C.C. 1.05.105 are each hereby  
173 amended to read as follows:

174 At the beginning of each even-numbered calendar year, the ~~((records and))~~  
175 elections division shall increase or decrease all dollar amounts in this chapter based on  
176 changes in economic conditions as reflected in the inflationary index used by the  
177 Washington state Public Disclosure Commission under RCW 42.17.370. The new dollar  
178 amounts established by the ~~((records and))~~ elections division under this section shall be



179 rounded off by the division to amounts as judged most convenient for public  
180 understanding and so as to be within ten percent of the target amount equal to the base  
181 amount provided in this chapter multiplied by the increase in the inflationary index since  
182 the effective date of this ordinance.

183 SECTION 3. Ordinance 11348, Section 6, as amended, and K.C.C. 1.05.115 are  
184 each hereby amended to read as follows:

185 The ~~((records and))~~ elections division shall adopt rules consistent with this  
186 chapter. Until new rules are adopted, the rules adopted by Ordinance 10742, as amended  
187 by Ordinance 11348, remain in effect.

188 SECTION 4. Ordinance 8627, Section 3, and K.C.C. 1.06.030 are each hereby  
189 amended to read as follows:

190 Before any charitable organization may make a contribution or spend money  
191 collected by the organization for political purposes for the elected offices covered in  
192 ~~((Section))~~ K.C.C. 1.06.020, it shall file with the manager of the ~~((King County division  
193 of records and))~~ elections division an affidavit signed under oath by an authorized official  
194 of the entity containing or establishing the following:

195 A. All contributions from the general public to be used for part or all of the  
196 campaign contribution were authorized by the donors to be used for campaign  
197 contributions for King County elected offices.

198 B. A written authorization that the money may be used for campaign  
199 contributions by each donor is on file at the charitable organization's primary office.

200 C. The contributions are kept in a separate segregated political fund.

201 D. A list of the names and addresses of all donors and the amounts donated.

202            SECTION 5. Ordinance 8627, Section 4, and K.C.C. 1.06.040 are each hereby  
203 amended to read as follows:

204            Within five business days of making any contribution covered in ~~((Section))~~  
205 K.C.C. 1.06.020, the organization shall file with the manager of the ~~((King County~~  
206 ~~division of records and))~~ elections division an affidavit under oath stating the amount of  
207 the contributions given and the recipients.

208            SECTION 6. Ordinance 9391, Section 1, as amended, and K.C.C. 1.08.020 are  
209 each hereby amended to read as follows:

210            A. The manager ~~((, records and))~~ of the elections division ~~((,))~~ is authorized and  
211 directed to compensate election inspectors and judges either the state or federal minimum  
212 hourly wage, whichever is greater.

213            B. Precinct election officials shall be credited with no more than the following  
214 hours for the services provided:

<b>Activity</b>	<b>Hours</b>
Service at a polling place on election day	15.5
Transporting election supplies to and from the ballot collection depot	5
Judge accompanying an Inspector for the delivery of ballots to the collection depot	1
Attendance at training classes	3

215            SECTION 7. Ordinance 8113, Sections 2 through 3, as amended, and K.C.C.  
216 1.10.020 are each hereby amended to read as follows:

217 Prior to any primary, general, or special election for which a voters' pamphlet is  
218 being prepared, the ~~((King County records and))~~ elections division shall notify each city,  
219 town, and special taxing district located wholly within King County that a local voters'  
220 pamphlet will be published and distributed; except, in the event the pamphlet is  
221 authorized specifically because the election is by mail ballot, notice should be sent to  
222 those cities and special taxing districts affected by the proposed annexation and  
223 incorporation.

224 SECTION 8. Ordinance 8113, Section 4, and K.C.C. 1.10.030 are each hereby  
225 amended to read as follows:

226 Following the effective date of this chapter, the elections division ~~((of records and  
227 elections))~~, after consultation with participating jurisdictions, shall adopt and publish  
228 administrative rules necessary to facilitate the provisions of this chapter and chapter  
229 ~~((29.81A))~~ 29A.32 RCW authorizing the publication and distribution of a local ~~((voter's))~~  
230 voters' pamphlet.

231 SECTION 9. Ordinance 8113, Section 7, and K.C.C. 1.10.060 are each hereby  
232 amended to read as follows:

233 Any challenge to an explanatory statement prepared or reviewed and approved  
234 pursuant to RCW ~~((29.81A.040(3)))~~ 29A.32.240(3) shall be brought within five days  
235 from the filing of such explanatory statement with the elections division ~~((of records and  
236 elections))~~. Any such challenge shall be brought by way of petition in the ~~((S))~~superior  
237 ~~((C))~~court for King County. The petition shall set forth the text of the explanatory  
238 statement, the objections thereto, and shall request the amendment of the text of the  
239 explanatory statement. The decision of the ~~((S))~~superior ~~((C))~~court shall be final.

240            SECTION 10. Ordinance 8113, Section 8, as amended, and K.C.C. 1.10.070 are  
241 each hereby amended to read as follows:

242            Each January following a year in which a voters' pamphlet is produced, the  
243 executive shall submit a report to the council evaluating the experience of the elections  
244 division (~~((of records and elections experience))~~) in producing the ~~((voter's))~~ voters'  
245 pamphlet. The report shall include a statement of overall costs and costs to participating  
246 jurisdictions, level of local participation, impacts on election turnout, reception of the  
247 pamphlet by voters and participants and any other information necessary to an analysis of  
248 the program by the council.

249            SECTION 11. Ordinance 884, Section 1, as amended, and K.C.C. 1.12.010 are  
250 each hereby amended to read as follows:

251            A. Precinct Establishment. The voting precincts of King County are hereby  
252 established pursuant to state law and shall be as described in the attachments to this  
253 section which are hereby adopted, and which shall be retained officially on file in the  
254 elections ~~division~~ (~~((of records and elections))~~).

255            B. Precincts Identified. An alpha-numeric system of identifying voting precincts  
256 using a combination of letters and numbers shall be established throughout King County.  
257 Those precincts located in unincorporated areas of the county which presently have  
258 names shall retain them for public purposes in addition to the alpha-numeric designation.  
259 Names shall be given only to those new precincts in unincorporated areas of the county  
260 which are created from portions of existing named precincts.

261            C. Precinct Revisions. Precincts shall be divided, new precincts created(~~((;))~~) and  
262 boundaries of existing precincts altered, as necessary, to implement precinct

263 balancing((;)) and to accommodate the incorporation and annexations of unincorporated  
264 county areas into incorporated cities and for the convenience of voters.

265 D. Precinct Balancing. In balancing precincts, voting precincts shall be  
266 constructed so as to consist of between two hundred and four hundred registered voters  
267 per individual precinct. Where necessary to construct a precinct with less than two  
268 hundred representation, it shall be noted on the revision proposal and a full explanation of  
269 this deviation provided.

270 E. Revision Approval. Proposed revisions to voting precincts, as provided for in  
271 this section, shall be submitted to the council for approval by ordinance no later than May  
272 1((st)) of the applicable year. The proposal shall include a replacement for the  
273 attachments to this section.

274 F. King County District Court Electoral District Boundaries. The ((records and))  
275 elections division shall submit to the council concurrently with any proposed revisions to  
276 voting precincts, proposed revisions to the King County district court electoral district  
277 boundaries which result from the proposed voting precinct revisions, as described in  
278 K.C.C. chapter 2.68.

279 SECTION 12. Ordinance 1053, Sections 1 and 2, as amended, and K.C.C.  
280 1.12.020 are each hereby amended to read as follows:

281 Voting devices and vote tally systems ((as defined in RCW 29.01.200)) may be  
282 used in all primaries and elections, general or special, in all precincts within King County.

283 The manager((, records and)) of the elections division((;)) is authorized  
284 discretionary use of these voting devices in any type of election and any combination of  
285 precincts as provided by law.

286            SECTION 13. Ordinance 1346, Section 1, and K.C.C. 1.14.010 are each hereby  
287 amended to read as follows:

288            The elections division (~~((of records and elections))~~) shall file with the clerk of the  
289 county council sample forms of the computer printouts which shall indicate the type of  
290 information which will be contained on the copies of the computer printouts of the current  
291 precinct lists of registered voters available for purchase or inspection. The elections  
292 division (~~((of records and elections))~~) may amend the forms to include additional information  
293 or to delete information by filing additional or supplemental samples with the clerk of the  
294 county council; provided, however, that additional or supplemental filings shall not be  
295 made during the period of time commencing ninety days prior to an election and  
296 terminating on the date of the election.

297            SECTION 14. Ordinance 1346, Section 2, and K.C.C. 1.14.020 are each hereby  
298 amended to read as follows:

299            Copies of computer printouts in the form of samples filed with the clerk of the  
300 county council may be inspected by any member of the public at the office of (~~((records~~  
301 ~~and))~~) the elections division under such reasonable rules and regulations as the division (~~((of~~  
302 ~~records and elections))~~) may prescribe.

303            SECTION 15. Ordinance 1346, Section 3, and K.C.C. 1.14.030 are each hereby  
304 amended to read as follows:

305            Copies of the computer printouts in the form of the samples filed with the clerk of  
306 the county council may be purchased by any registered voter of the state within ten days  
307 after a written request is filed with the elections division (~~((of records and elections))~~).

308 Either paper copies prepared on the copying machines being currently used by the county  
309 or microfilm copies may be purchased.

310 SECTION 16. Ordinance 1346, Section 4, and K.C.C. 1.14.040 are each hereby  
311 amended to read as follows:

312 Any registered voter of the state within ten days after a written request is filed with  
313 the elections division (~~(of records and elections)~~) may purchase the use of copies of the  
314 computer magnetic tapes and format being currently used by the division (~~(of records and~~  
315 ~~elections)~~), which contain the information from which the lists of current registered voters  
316 are compiled, for use in specific elections under the following rules and regulations:

317 A. Copies of the tapes may not be obtained until one hundred ninety days prior to  
318 the specific election for which its use is desired.

319 B. All copies obtained shall be returned within ten days after the election.

320 C. The person obtaining copies of the tapes shall sign an affidavit stating the name  
321 and address of each person who will have possession of the tapes and the name and address  
322 of each person who will operate the computers on which the tapes will be used.

323 D. It is unlawful for anyone to permit a duplicate copy to be made of all or any part  
324 of any computer magnetic tape obtained pursuant to this chapter or to permit the use of the  
325 computer magnetic tapes to improve, amend, supplement or update the information  
326 contained on any other computer magnetic tape.

327 E. When the computer magnetic tapes obtained pursuant to this chapter are  
328 returned, the person who obtained them shall sign and deliver to the elections division (~~(of~~  
329 ~~records and elections)~~) an affidavit stating: The name and address of each person who had  
330 possession of the computer magnetic tapes, the name and address of each person who

331 operated the computers on which the computer magnetic tapes were used; a summary of  
332 the information and material which was obtained by using the tapes such as mailing labels  
333 or alphabetical or geographical lists; that duplicate copies of all or any portion of the tapes  
334 were not made; that the tapes were not used to improve, supplement, amend or update other  
335 computer magnetic tapes; and that all computer print-outs and copies with the exception of  
336 mailing labels were stamped with the statement contained in ((Section)) K.C.C. 1.14.060.P

337 F. The person who obtained the tapes shall also obtain and deliver to the elections  
338 division ((of records and elections)) affidavits from each person who had possession of the  
339 tapes or who operated computers on which the tapes were used containing the information  
340 required in subsection E. of this section.

341 SECTION 17. Ordinance 1346, Section 5, and K.C.C. 1.14.050 are each hereby  
342 amended to read as follows:

343 The purchase price of the copies of the computer tapes and paper and microfilm  
344 copies of the computer print-outs shall be established by the elections division ((of records  
345 and elections)) by filing with the clerk of the county council prior to each fiscal year a list  
346 of the charges which will be made for furnishing copies of the tapes or the computer  
347 print-outs during the next fiscal year. The charges shall be determined on the basis of the  
348 amount necessary to reimburse the county its actual costs for furnishing copies of the  
349 requested tapes and computer print-outs.

350 SECTION 18. Ordinance 159, Section 4, as amended, and K.C.C. 1.16.040 are  
351 each hereby amended to read as follows:

352 The clerk of the council shall assign a serial number to each initiative measure or  
353 referendum petition, using a separate series for each, and forthwith transmit one copy of the



354 measure proposed, bearing its serial number, to the elections ~~((D))~~division ~~((of Records and~~  
355 ~~Elections))~~ and the office of the prosecuting attorney. Thereafter a measure shall be known  
356 and designated on all petitions, ballots and proceedings as "Initiative Measure No. . . ." or  
357 "Referendum Measure No. . . . ."

358 SECTION 19. Ordinance 159, Section 5, as amended, and K.C.C. 1.16.050 are  
359 each hereby amended to read as follows:

360 Within five days after the filing of an initiative measure or referendum petition with  
361 the clerk of the council, the prosecuting attorney shall prepare a ballot title and transmit it  
362 to the clerk of the council and the ~~((Records and))~~ ~~((E))~~elections ~~((D))~~division bearing the  
363 serial number of the measure. The ballot title shall be a concise statement in the form of a  
364 question containing the essential features of the measure and not exceeding twenty words  
365 and may be drafted in common language for greater clarity. The ballot title shall be  
366 phrased in language so that a yes vote will clearly be a vote in favor of the action or  
367 condition that would result from the approval of the measure, and a no vote will clearly be  
368 a vote in opposition to such action or condition. In the case of a referendum to ratify or  
369 revoke some prior action, the ballot title may refer directly to the prior action rather than to  
370 the ratification or revocation of said action. The ballot title prepared by the prosecuting  
371 attorney shall be included in the referendum or initiative petition as provided for in  
372 ~~((Sections))~~ K.C.C. 1.16.070 and 1.16.080.

373 SECTION 20. Ordinance 159, Section 6, as amended, and K.C.C. 1.16.060 are  
374 each hereby amended to read as follows:

375 Upon the filing by the prosecuting attorney of the ballot title for an initiative or  
376 referendum measure in that office, the ~~((Records and))~~ ~~((E))~~elections ~~((D))~~division shall

377 forthwith notify the persons proposing the measure, by mail, of the exact language thereof.  
378 Thereafter, such ballot title shall be the title of the measure in all proceedings in relation  
379 thereto.

380 SECTION 21. Ordinance 834, Section 1, as amended, and K.C.C. 1.16.100 are  
381 each hereby amended as follows:

382 A. When petitions for initiative or referendum action are filed with the county  
383 council, the ~~((records,)) elections ((and licensing services))~~ division shall proceed to  
384 canvass and count the names of the legal voters on the initiative or referendum. The  
385 ~~((records, elections and licensing services))~~ division may use any statistical sampling  
386 techniques for this canvass that have been approved by the county council. However, no  
387 petition shall be rejected on the basis of any statistical method employed and no petition  
388 shall be accepted on the basis of any statistical method employed if that method indicates  
389 that the petition contains fewer than the requisite number of signatures of legal voters. If  
390 the ~~((records, elections and licensing services))~~ division finds the same name signed to  
391 more than one petition, it shall count only the first valid signature and shall reject all  
392 subsequent instances of the signature of the same person on the petition. After the petitions  
393 are processed, the ~~((records, and licensing services))~~ division shall transmit a certified copy  
394 of the facts relating to the filing of the petition and the canvass to the county council.

395 B. In the verification of signatures on initiative and referendum petitions, the  
396 ~~((records,)) elections ((and licensing services))~~ division shall use the random sampling  
397 statistical procedure as authorized by WAC 434-379-010.

398 SECTION 22. Ordinance 8024, Section 2, and K.C.C. 1.18.020 are each hereby  
399 amended to read as follows:

400 For the purpose of this chapter the following definitions are adopted:

401 A. ~~((ALTER/ALTERATION-))~~ 1. To "alter" means to cause alteration.

402 "Alteration" is any change to a referendum or initiative petition which occurs between the  
403 time the form and language of the petition are approved by the clerk of the council and the  
404 time when signed petitions are returned to the clerk, with the exception of:

405 a. The signatures and other information required of the petition signers;

406 b. Normal wear and tear, so long as such wear and tear does not prevent one  
407 from reading all of the approved language on the petition.

408 2. The following are representative examples of alteration:

409 a. The addition of any unapproved language, either printed or handwritten;

410 b. The crossing-out, covering or obscuring of approved language;

411 c. The underlining or highlighting of any words or part of the petition;

412 d. The physical attachment to the petition by any means - for example, by  
413 stapling, taping, gluing, or clipping - of any unapproved document.

414 3. Alteration is either permanent, that is, observable at the time the signed  
415 petitions are returned to the clerk of the council; or temporary, that is, occurring at any time  
416 during the solicitation of signatures for the petition but not longer observable when the  
417 signed petitions are returned to the clerk of the council.

418 B. ~~((CANVASSING BOARD-))~~ The "canvassing board" shall consist of the  
419 ~~((county))~~ executive, the manager of the ~~((records and))~~ elections division~~((;))~~ and the  
420 ~~((county prosecutor))~~ prosecuting attorney, or their respective designees. The powers and  
421 duties of the canvassing board as set forth in this chapter are independent of any powers  
422 and duties created by Title 29A RCW or any other state statute.

423            SECTION 23. Ordinance 8024, Section 5, and K.C.C. 1.18.050 are each hereby  
424 amended to read as follows:

425            When signed petitions are filed with the council pursuant to K.C.C. 1.16.100, the  
426 clerk of the council shall examine the petitions to determine whether they have been  
427 permanently altered. Any altered petitions shall be retained by the clerk and not  
428 transmitted to the ~~((records and))~~ elections division for canvassing and counting. The clerk  
429 shall notify the petition sponsor~~((s))~~ or sponsors of this action and shall make the altered  
430 petitions available for inspection. The ~~((records and))~~ elections division shall incorporate  
431 the fact that altered petitions were not counted in its certified copy of the facts filed  
432 pursuant to K.C.C. 1.16.100.

433            SECTION 24. Ordinance 8024, Section 6, and K.C.C. 1.18.060 are each hereby  
434 amended to read as follows:

435            Before the ~~((records and))~~ elections division certifies the facts relating to the filing  
436 and canvass of an initiative petition pursuant to K.C.C. 1.16.100, or before the expiration of  
437 forty-five days after enactment of the ordinance which is the subject of a referendum  
438 petition, a registered voter may allege that petitions have been temporarily altered. This  
439 allegation shall be made by filing with the clerk of the council an affidavit which states the  
440 factual basis for the allegation. The clerk of the council shall transmit a copy of the  
441 affidavit to the ~~((records and))~~ elections division, which shall proceed to count and canvass  
442 the names of the legal voters on the petitions transmitted to it by the clerk of the council. If  
443 the number of signatures which would be valid if obtained on unaltered petitions is  
444 insufficient to satisfy the requirements of ~~((Charter))~~ Section 230.40 or 230.50 of the King  
445 County Charter, then the ~~((records and))~~ elections division shall certify the facts relating to

446 the filing and canvass of the petition pursuant to K.C.C. 1.16.100. If the number of  
447 signatures which would be valid if obtained on unaltered petitions satisfies the  
448 requirements of ~~((Charter))~~ Section 230.40 or 230.50 of the King County Charter, then the  
449 ~~((records and))~~ elections division shall transmit to the members of the canvassing board  
450 both its count of the signatures and a copy of the affidavit alleging alteration.

451 SECTION 25. Ordinance 8024, Section 7, and K.C.C. 1.18.070 are each hereby  
452 amended to read as follows:

453 The members of the canvassing board, upon receipt from the ~~((records and))~~  
454 elections division of an affidavit alleging temporary alteration and a count of the signatures  
455 which would be valid if obtained on unaltered petitions, shall convene a fact-finding  
456 hearing as follows:

457 A. The canvassing board shall determine whether temporary alteration took place  
458 as alleged, and, if so, shall determine whether the number of signatures invalidated by  
459 alteration reduces the number of signatures that can be counted below the requirements of  
460 ~~((Charter))~~ Section 230.40 or 230.50 of the King County Charter.

461 B. The members of the canvassing board must agree unanimously in order to  
462 invalidate signatures pursuant to K.C.C. 1.18.040 ~~((of this chapter))~~.

463 C. The parties to the hearing shall be the petition challenger~~((s))~~ or challengers  
464 and the petition sponsor~~((s))~~ or sponsors. The petition challenger~~((s))~~ or challengers  
465 shall have the burden of proving the fact, nature~~((s))~~ and extent of the alteration by a  
466 preponderance of the evidence.

467 D. The hearing shall be electronically recorded.

468 E. The hearing shall commence no later than three days after the affidavit which  
469 alleges alteration and the count of signatures is transmitted to the members of the  
470 canvassing board, unless both the petition challenger(~~((s))~~) or challengers and the petition  
471 sponsor(~~((s))~~) or sponsors agree upon a later date.

472 F. The (~~(prosecutor)~~) prosecuting attorney or (~~(his)~~) the prosecuting attorney's  
473 designee shall be responsible for scheduling the hearing, for giving timely notice of its date  
474 to the petition challenger(~~((s))~~) or challengers and petition sponsor(~~((s))~~) or sponsors, and  
475 for making procedural rulings during the hearing. These procedural decisions of the  
476 (~~(prosecutor)~~) prosecuting attorney or (~~(his)~~) the prosecuting attorney's designee shall be  
477 subject to modification by majority vote of the canvassing board.

478 G. The canvassing board shall transmit its findings to the (~~(records and)~~) elections  
479 division, which shall incorporate the findings into the certified copy of the facts filed  
480 pursuant to K.C.C. 1.16.100.

481 SECTION 26. Ordinance 8024, Section 8, and K.C.C. 1.18.080 are each hereby  
482 amended to read as follows:

483 The decision of the clerk of the council regarding permanent alteration and the  
484 decision of the canvassing board regarding temporary alteration shall be final unless an  
485 aggrieved petition challenger or sponsor both applies for a writ of certiorari with the (~~(King~~  
486 ~~County S))superior ((C))court and serves a copy of the writ application on the clerk of the  
487 council within ten (~~((10))~~) calendar days of the date the (~~(records and)~~) elections division  
488 files a certified copy of the facts pursuant to K.C.C. 1.16.100.~~

489 SECTION 27. Ordinance 695, Section 2, as amended, and K.C.C. 2.12.020 are  
490 each hereby amended to read as follows:

491 All records of the King County council and records of the King County  
492 commissioners, prior to the establishment of the Home Rule Charter, other than office files  
493 and memoranda shall be either photographed, microphotographed, photostated or  
494 reproduced on film by the records and ~~((elections))~~ licensing services division.

495 SECTION 28. Ordinance 10698, Section 2, and K.C.C. 2.12.035 are each hereby  
496 amended to read as follows:

497 An archives and records management program is hereby established in the records  
498 and ~~((elections)))~~ licensing services division. The archives and records management  
499 program shall be responsible for:

500 A. Maintaining a facility for storage of inactive and archival records.

501 B. Establishing standards for records storage media to ensure continued public  
502 access to public records during their legal retention period and for preservation of  
503 archival information.

504 C. Maintaining a directory to current records of county agencies, which shall  
505 serve as a public disclosure index as set forth in ~~((RCW))~~ chapter 42.17 RCW. A  
506 directory of historical, noncurrent or obsolete records designated archival shall serve as  
507 an index to King County administrative history, as provided by ~~((RCW))~~ chapter 40.14  
508 RCW.

509 D. Preserving and providing public access to the archival records of King  
510 County.

511 SECTION 29. Ordinance 5962, Section 2, as amended, and K.C.C. 2.12.080 are  
512 each hereby amended to read as follows:

513 The records, ((elections)) and licensing services division may sell copies of the  
514 King County ((e))Code to subscribers other than county agencies or departments for a fee  
515 of three hundred dollars plus an additional charge of fifteen cents per page for quarterly  
516 supplements.

517 SECTION 30. Ordinance 1660, Sections 1 through 2, as amended, and K.C.C.  
518 2.12.120 are each hereby amended to read as follows:

519 The manager of the records ((elections)) and licensing services division shall  
520 charge such fees for the provision of recording services as are provided for county auditors  
521 in chapters 36.18 and 36.22 RCW and RCW 64.34.202. In addition, the following specific  
522 fees apply:

523 A. Record of survey. For land surveys, which shall be eighteen by twenty-four  
524 inches or less in size, the fee schedule is:

- |     |   |         |
|-----|---|---------|
| 525 | 1. Basic fee for first page             | \$25.00 |
| 526 | 2. Department of natural resources fees | \$26.00 |
| 527 | 3. Centennial preservation fee          | \$2.00  |
| 528 | 4. State archives fee                   | \$1.00  |
| 529 | 5. Each additional page                 | \$5.00  |

530 B. Short plats and boundary line adjustments. For short plats and boundary line  
531 adjustments, legal size or smaller, the manager of the records ((elections)) and licensing  
532 services division shall charge such fees as are provided for county auditors in chapter 36.18  
533 RCW. For short plats and boundary line adjustments, eighteen by twenty-four inches or  
534 less in size, the fee schedule shall be the same as record of survey under K.C.C. 2.12.120A.



535 C. Record of monument. The record of monument shall be filed without charge on  
536 the standard form prescribed by the state Department of Natural Resources, Bureau of  
537 Surveys and Maps.

538 D. Reservation of condominium name. To reserve the right to use a specific name  
539 for a condominium, the fee is fifty dollars. A reservation is subject to RCW 64.34.202.

540 E. Administrative surcharge. As authorized by 2002 Wash. Laws Chapter 294,  
541 five percent of the mandatory state ten-dollar surcharge on recorded instruments shall be  
542 retained as an administrative surcharge effective June 13, 2002. Of the remaining funds,  
543 forty percent shall be transmitted monthly to the state treasurer and the remaining sixty  
544 percent shall be retained by the county and deposited into a fund to be used by the county  
545 and its cities for low-income housing initiatives.

546 F. Administrative fee. As authorized by 2003 Wash. Laws 289, five percent of the  
547 mandatory one-dollar state surcharge on recorded deeds of trust shall be retained as an  
548 administrative fee.

549 SECTION 31. Ordinance 12075, Section 1, and K.C.C. 2.12.160 are each hereby  
550 amended to read as follows:

551 A. There is hereby established a special revenue fund titled ((R))recorder's  
552 ((O))operation and ((M))maintenance ((F))fund ((N))number 109((1)), for the purpose of  
553 having deposited within it all revenues collected from the additional recording fee  
554 authorized by Chapter 204, Laws of Washington 1989. This fund shall be a first tier fund  
555 as described in K.C.C. chapter 4.08. The revenue contained in this fund shall be  
556 expended solely for the purpose of acquiring, installing and maintaining an improved  
557 system for copying, preserving and indexing documents recorded in or filed with the

558 King County records and ~~((elections))~~ licensing services division and for further  
559 preserving those official documents filed in King County that are deemed archival ~~((per))~~  
560 by state archival standards.

561 B. The ~~((director))~~ manager of the ~~((department of))~~ finance and business  
562 operations division is authorized to invest any ~~((monies))~~ moneys in the fund not required  
563 for immediate expenditure in accordance with the second paragraph of RCW 36.29.020.

564 C. The moneys in the fund~~((s))~~ are to be used solely for the purposes authorized  
565 by Chapter 204, Laws of Washington 1989 and shall not be added to the county's current  
566 expense fund, but shall be distributed as follows:

567 1. Fifty percent of the revenue generated through this surcharge shall be  
568 transmitted monthly to the state treasurer who shall distribute such ~~((funds))~~ moneys back  
569 to the county ~~((department))~~ of the finance and business operations division and then to  
570 the ~~((special revenue F))~~ fund ~~((Number 109))~~ in July of each year pursuant to state law.  
571 The portion of the surcharge transmitted to the state shall expire on January 1, 1995, at  
572 which time the surcharge shall be reduced to one dollar per instrument.

573 2. Fifty percent of the revenue generated shall be retained by records and  
574 ~~((elections))~~ licensing services division and deposited directly into the ~~((F))~~ fund  
575 ~~((Number 109))~~ and not added to the county ~~((€))~~ current ~~((€))~~ expense ~~((F))~~ fund. On  
576 January 1, 1995, the remaining one dollar per instrument shall continue to go into this  
577 fund.

578 SECTION 32. Ordinance 9168, Section 2, and K.C.C. 2.12.170 are each hereby  
579 amended to read as follows:

580           A. There is established within the records and ((elections)) licensing services  
581 division an enhanced program for preserving, copying, maintaining((;)) and indexing  
582 documents officially recorded and filed with the county that require preservation in the  
583 public interest against age and environmental degradation before they are irreparably  
584 damaged. The program shall take advantage of the latest technology for records  
585 preservation to include, but not limited to, photomicrographic and computerized electronic  
586 digital storage methods.

587           B. To support the program the records and ((elections)) licensing services manager  
588 shall collect the two dollar fee provided by state law as amended for each document  
589 recorded in the recorder's office, which shall be in addition to any other authorized fee or  
590 charge.

591           C. The fee of two dollars shall be used for only those purposes outlined by state  
592 law as amended, that is, to provide for the installation and maintenance of an improved  
593 system for copying, preserving and indexing documents recorded in King County and for  
594 the preservation of those records deemed archival.

595           SECTION 33. Ordinance 12550, Section 2, as amended, and K.C.C. 2.14.020 are  
596 each hereby amended to read as follows:

597           A. King County is committed to managing its public records as a county((-))wide  
598 resource and in a manner that is efficient and economical; promotes open government  
599 and an informed citizenry; protects individual privacy; and meets county record retention  
600 and disposition standards.

601           B. A public records committee is hereby established. The public records  
602 committee shall advise the council and the executive on county public records policies,

603 including both paper and electronic records. These policies must include policies for  
604 posting records on county web sites. The public records committee shall also provide  
605 guidance on the planning and implementation of a countywide records storage  
606 management plan and a countywide electronic records management system.

607 C. The manager of the records (~~(elections)~~) and licensing services division shall  
608 be the chair of the public records committee The public records committee shall involve a  
609 broad membership of county departments and elected agencies, including at a minimum  
610 the following:

- 611 1. The council;
- 612 2. The prosecuting attorney's office;
- 613 3. The sheriff's office;
- 614 4. The assessor's office;
- 615 5. Office of management and budget;
- 616 6. The office of information resource management;
- 617 7. The department of executive service's public disclosure officer;
- 618 8. The department of executive service's chief of information security and  
619 privacy officer; and
- 620 9. The department of executive services and other departments.

621 D. The executive shall submit to the council for approval by motion by March 1,  
622 2007, a document detailing the vision, guiding principles, goals, and governance and  
623 management structure of the public records committee.

624 SECTION 34. Ordinance 14199, Section 11, as amended, and K.C.C. 2.16.035  
625 are each hereby amended to read as follows:

626           The county administrative officer shall be the director of the department of  
627 executive services. The department shall include the records and licensing services  
628 division, elections ~~((and licensing))~~ division, the finance and business operations  
629 division, the human resources management division, the facilities management division,  
630 the administrative office of risk management, the administrative office of emergency  
631 management and the administrative office of civil rights. In addition, the county  
632 administrative officer shall be responsible for providing staff support for the board of  
633 ethics.

634           A. The duties of the ~~((records;))~~ elections ~~((and licensing services))~~ division shall  
635 include ~~((the following:~~

636                 ~~1-C))~~ conducting all special and general elections held in the county and  
637 registering voters~~((;))~~.

638           ~~((2-))~~ B. The duties of the records and licensing services division shall include  
639 the following:

640                 1 Issuing marriage, vehicle/vessel, taxicab and for-hire driver and vehicle and  
641 pet licenses, collecting license fee revenues and providing licensing services for the  
642 public;

643                 ~~((3-))~~ 2. Enforcing county and state laws relating to animal control;

644                 ~~((4-))~~ 3. Managing the recording, processing, filing, storing, retrieval and  
645 certification of copies of all public documents filed with the division as required;

646                 ~~((5-))~~ 4. Processing all real estate tax affidavits;

647                 ~~((6-))~~ 5. Acting as the official custodian of all county records, as required by  
648 general law, except as otherwise provided by ordinance; and

649            (~~(7-)~~) 6. Managing the printing and distribution of the King County Code and  
650 supplements to the public.

651            (~~(B-)~~) C. The duties of the finance and business operations division shall include  
652 the following:

653            1. Monitoring revenue and expenditures for the county. The collection and  
654 reporting of revenue and expenditure data shall provide sufficient information to the  
655 executive and to the council. The division shall be ultimately responsible for maintaining  
656 the county's official revenue and expenditure data;

657            2. Performing the functions of the county treasurer;

658            3. Billing and collecting real and personal property taxes, local improvement  
659 district assessments and gambling taxes;

660            4. Processing transit revenue;

661            5. Receiving and investing all county and political subjurisdiction moneys;

662            6. Managing the issuance and payment of the county's debt instruments;

663            7. Managing the accounting systems and procedures;

664            8. Managing the fixed assets system and procedures;

665            9. Formulating and implementing financial policies for other than revenues and  
666 expenditures for the county and other applicable agencies;

667            10. Administering the accounts payable and accounts receivable functions;

668            11. Collecting fines and monetary penalties imposed by district courts;

669            12. Developing and administering procedures for the procurement of and  
670 awarding of contracts for tangible personal property, services, professional or technical

671 services and public work in accordance with K.C.C. chapter 4.16 and applicable federal  
672 and state laws and regulations;

673 13. Establishing and administering procurement and contracting methods, and  
674 bid and proposal processes, to obtain such procurements;

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

678 15. Administering contracts for goods and services that are provided to more  
679 than one department;

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

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

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

689 19. Managing the payroll system and procedures, including processing benefits  
690 transactions in the payroll system and administering the employer responsibilities for the  
691 retirement and the deferred compensation plans; and

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

695           (~~C.~~) D. The duties of the human resources management division shall include  
696 the following:

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

700           2. Developing proposed and administering adopted policies and procedures for  
701 employment (recruitment, examination and selection), classification and compensation,  
702 and salary administration;

703           3. Developing proposed and administering adopted human resources policy;

704           4. Providing technical and human resources information services support;

705           5. Developing and managing insured and noninsured benefits programs,  
706 including proposing policy recommendations, negotiating benefits plan designs with  
707 unions, preparing legally mandated communications materials and providing employee  
708 assistance and other work and family programs;

709           6. Developing and administering diversity management and employee relations  
710 programs, including affirmative action plan development and administration,  
711 management and supervisory diversity training and conflict resolution training;

712           7. Developing and administering workplace safety programs, including  
713 inspection of work sites and dissemination of safety information to employees to promote  
714 workplace safety;



- 715           8. Administering the county's self-funded industrial insurance/worker's  
716 compensation program, as authorized by Title 51 RCW;
- 717           9. Representing county agencies in the collective bargaining process as required  
718 by chapter 41.56 RCW;
- 719           10. Representing county agencies in labor arbitrations, appeals and hearings  
720 including those in chapter 41.56 RCW and required by K.C.C. Title 3;
- 721           11. Administering labor contracts and providing consultation to county agencies  
722 regarding the terms and implementation of negotiated labor agreements;
- 723           12. Advising the executive and council on overall county labor and employee  
724 policies;
- 725           13. Providing labor relations training for county agencies, the executive, the  
726 council and others;
- 727           14. Overseeing the county's unemployment compensation program;
- 728           15. Developing and maintaining databases of information relevant to the  
729 collective bargaining process; and
- 730           16. Collecting and reporting to the office of management and budget on a  
731 quarterly basis information on the numbers of filled and vacant full-time equivalent and  
732 term-limited temporary positions and the number of emergency employees for each  
733 appropriation unit.

734           ~~(D.)~~ E. The duties of the facilities management division shall include the  
735 following:

- 736           1. Overseeing space planning for county agencies;

- 737           2. Administering and maintaining in good general condition the county's  
738 buildings except for those managed and maintained by the departments of natural  
739 resources and parks and transportation;
- 740           3. Operating security programs for county facilities except as otherwise  
741 determined by the council;
- 742           4. Administering all county facility parking programs except for public  
743 transportation facility parking;
- 744           5. Administering the supported employment program;
- 745           6. Managing all real property owned or leased by the county, except as provided  
746 in K.C.C. chapter 4.56, ensuring, where applicable, that properties generate revenues  
747 closely approximating fair market value;
- 748           7. Maintaining a current inventory of all county-owned or leased real property;
- 749           8. Functioning as the sole agent for the disposal of real properties deemed  
750 surplus to the needs of the county;
- 751           9. In accordance with K.C.C. chapter 4.04, providing support services to county  
752 agencies in the acquisition of real properties, except as otherwise specified by ordinance;
- 753           10. Issuing oversized vehicle permits, franchises and permits and easements for  
754 the use of county property except franchises for cable television and telecommunications;
- 755           11. Overseeing the development of capital projects for all county agencies  
756 except for specialized roads, solid waste, public transportation, airport, water pollution  
757 abatement and surface water management projects;
- 758           12. Being responsible for all general projects, such as office buildings or  
759 warehouses, for any county department including, but not limited to, the following:

- 760 a. administering professional services and construction contracts;
- 761 b. acting as the county's representative during site master plan, design and
- 762 construction activities;
- 763 c. managing county funds and project budgets related to capital improvement
- 764 projects;
- 765 d. assisting county agencies in the acquisition of appropriate facility sites;
- 766 e. formulating guidelines for the development of operational and capital
- 767 improvement plans;
- 768 f. assisting user agencies in the development of capital improvement and
- 769 project program plans, as defined and provided for in K.C.C. chapter 4.04;
- 770 g. formulating guidelines for the use of life cycle cost analysis and applying
- 771 these guidelines in all appropriate phases of the capital process;
- 772 h. ensuring the conformity of capital improvement plans with the adopted
- 773 space plan and approved operational master plans;
- 774 i. developing project cost estimates that are included in capital improvement
- 775 plans, site master plans, capital projects and annual project budget requests;
- 776 j. providing advisory services, feasibility studies or both services and studies to
- 777 projects as required and for which there is budgetary authority;
- 778 k. coordinating with user agencies to assure user program requirements are
- 779 addressed through the capital development process as set forth in this chapter and in
- 780 K.C.C. Title 4;
- 781 l. providing engineering support on capital projects to user agencies as
- 782 requested and for which there is budgetary authority; and

783 m. providing assistance in developing the executive budget for capital  
784 improvement projects; and

785 13. Providing for the operation of a downtown winter shelter for homeless  
786 persons between October 15 and April 30 each year.

787 ~~((E.))~~ F. The duties of the administrative office of risk management shall include  
788 the management of the county's insurance and risk management programs consistent with  
789 K.C.C. chapter 4.12.

790 ~~((F.))~~ G. The duties of the administrative office of emergency management shall  
791 include the following:

792 1. Planning for and providing effective direction, control and coordinated  
793 response to emergencies;

794 2. Being responsible for the emergency management functions defined in  
795 K.C.C. chapter 2.56; and

796 3. Managing the E911 emergency telephone program.

797 ~~((G.))~~ H. The duties of the administrative office of civil rights shall include the  
798 following:

799 1. Enforcing nondiscrimination ordinances as codified in K.C.C. chapters 12.17,  
800 12.18, 12.20 and 12.22;

801 2. Assisting departments in complying with the federal Americans with  
802 Disabilities Act of 1990, the federal Rehabilitation Act of 1973, Section 504, and other  
803 legislation and rules regarding access to county programs, facilities and services for  
804 people with disabilities;

805           3. Serving as the county Americans with Disabilities Act coordinator relating to  
806 public access;

807           4. Providing staff support to the county civil rights commission;

808           5. Serving as the county federal Civil Rights Act Title VI coordinator; and

809           6. Coordinating county responses to federal Civil Rights Act Title VI issues and  
810 investigating complaints filed under Title VI.

811           SECTION 35. Ordinance 11955, Section 12, as amended, and K.C.C. 2.16.100  
812 are each hereby amended to read as follows:

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

819           B. The county administrative officer, directors, chief officers and supervisors of  
820 departments, administrative offices, divisions, key subordinate units and other units of  
821 county government as required by law shall be exempt from the requirements and  
822 provisions of the career service personnel system.

823           C.1. The following are determined by the council to be key subordinate units due  
824 to the nature of the programs involved and their public policy implications and  
825 appointments to these positions shall be subject to confirmation by the council:

826           a. the director of the public defense division;

- 827           b. the chief information officer of the administrative office of information  
828 resource management;
- 829           c. the manager of the ~~((records,)) elections ((and licensing services))~~ division;  
830 ~~((and))~~
- 831           d. the superintendent of elections ~~((of))~~ in the elections ~~((section of the~~  
832 ~~records, elections and licensing services))~~ division; and
- 833           e. the manager of the records and licensing services division.

834           2. When an ordinance is enacted designating a position as a key subordinate  
835 unit, no person then serving in the position shall continue to serve for more than ninety  
836 days after such enactment, unless reappointed by the executive and confirmed by the  
837 council.

838           D. If an administrative assistant or a confidential secretary, or both, for each  
839 director, chief officer of an administrative office and supervisor of a key subordinate unit  
840 are authorized, those positions are exempt from the requirements and provisions of the  
841 career service personnel system.

842           SECTION 36. Ordinance 394, Section 5, as amended, and K.C.C. 2.20.050 are  
843 each hereby amended to read as follows:

844           A. Results of completed audits shall be communicated by the auditor in a written  
845 report, which may include either a formal written audit report or a management letter.

846           B. The report shall identify operational, managerial, financial, performance and  
847 policy matters that need to be addressed by county officials and management.

848 C. The auditor shall provide a draft of the audit for technical review of factual  
849 content by the director or other official who has authority over the department, agency or  
850 program under review.

851 D. With technical changes incorporated, the auditor shall transmit a proposed final  
852 report to the agency. The elected official presiding over the agency shall provide a formal  
853 written response to the auditor within fourteen calendar days after receipt of the proposed  
854 final audit report. The written response shall indicate:

855 1. Concurrence, partial concurrence or nonconcurrence with audit  
856 recommendations, including any explanation of why full concurrence may not be feasible;  
857 and

858 2. Actions that will be taken to implement the recommendations and to correct  
859 deficiencies cited. The agency shall also establish a timeline for implementing the audit  
860 recommendations or alternate corrective actions.

861 E. The final audit report shall include the formal agency response. The auditor  
862 may add comments to the final audit report based on the nature of the agency response. If  
863 an agency response is not transmitted to the auditor, the auditor shall note this and the  
864 reason, if known. The auditor's office shall present the final report to the council or a  
865 designated council committee within thirty calendar days of completing the final report. If  
866 a presentation is not scheduled within that thirty-day period, the auditor's office, at the  
867 auditor's discretion, shall publish the final audit report.

868 F. The council shall designate a committee to receive and review all audits and  
869 special studies. That committee shall also be charged with providing on-going oversight  
870 for the performance of the office including the development of the work program.

871 G. After the release of the audit to the council, the auditor shall file a copy as  
872 matter of public record with the records (~~(elections)~~) and licensing services division of the  
873 department of executive services.

874 SECTION 37. Ordinance 12075, Section 8, and K.C.C. 2.36.030 are each hereby  
875 amended to read as follows:

876 A. As prescribed by RCW 3.38.010, there is established a justice court districting  
877 committee within King County with membership composed of the following:

- 878 1. A judge of the superior court selected by the judges of that court;
- 879 2. The prosecuting attorney or a deputy selected by him/her;
- 880 3. A practicing lawyer of the county selected by the president of the King  
881 County Bar Association;
- 882 4. A judge of an inferior court of the county selected by the president of the  
883 Washington State Magistrates Association; and
- 884 5. The mayor, or (~~(his/her)~~) the mayor's representative, of each first, second and  
885 third class city of the county;
- 886 6. One person to represent the fourth class cities of the county, to be designated  
887 by the President of the Association of Washington Cities;
- 888 7. The executive; and
- 889 8. The county manager of the division of (~~(records and)~~) elections.

890 B. Duties of the committee and standards for districting shall be as prescribed in  
891 (~~(RCW)~~) chapter 3.38 (~~(as amended by the 40th Session of the Legislature or as hereafter~~  
892 ~~revised)~~) RCW.



893            SECTION 38. Ordinance 14482, Section 7, and K.C.C. 2.49.060 are each hereby  
894 amended to read as follows:

895            The charter of the cultural development authority, as set forth in Attachment A to  
896 Ordinance 14482, is hereby approved. The clerk of the council shall, within ten days of  
897 October 11, 2002, issue the charter in duplicate originals, each bearing the county seal  
898 attested by the clerk of the council. The clerk of the council shall file and record one  
899 original charter with the records ((elections)) and licensing services division and provide  
900 one original charter to the county executive on behalf of the cultural development  
901 authority. The county may amend the charter by ordinance after providing notice to and  
902 an opportunity for the directors to be heard and present testimony.

903            SECTION 39. Ordinance 15453, Section 4, and K.C.C. 2.53.031 are each hereby  
904 amended to read as follows:

905            The mission of the committee is to help King County restore and maintain public  
906 confidence in elections. The committee shall make recommendations to the council to:

907            A. Improve performance of the ((King County)) elections ((section)) division;  
908 and

909            B. Help ensure that accountability and performance of the elections ((section))  
910 division is provided in a transparent manner that is meaningful to the residents of King  
911 County.

912            SECTION 40. Ordinance 15453, Section 6, and K.C.C. 2.53.051 are each hereby  
913 amended to read as follows:

914            A. The council shall provide for appropriate staffing of the committee.

915 B. County staff in the department of executive services and the ~~((records and))~~  
916 elections ~~((licensing services))~~ division shall provide information requested by the  
917 committee in a timely manner.

918 C. By March 31, 2009, the citizens' elections oversight committee shall evaluate  
919 the extent to which county elections operations have changed or improved over the  
920 previous four years and whether there is a need for an ongoing elections oversight  
921 committee. This evaluation shall be submitted to the clerk of the council. The council  
922 shall then make its own determination on the need for an ongoing elections oversight  
923 committee.

924 SECTION 41. Ordinance 1308, Section 6, as amended, and K.C.C. 3.04.050 are  
925 each hereby amended to read as follows:

926 A. All candidates for county elective office, and nominees for appointment to any  
927 county elective office except for judicial candidates, within two weeks of becoming a  
928 candidate or nominee, and all elected officials who are defined as county employees  
929 under K.C.C. 3.04.017, paid in whole or in part by county funds, shall file with the board  
930 of ethics a statement of financial and other interests as defined in this section. These  
931 requirements may be satisfied by filing with the board of ethics a copy of the report  
932 required to be filed by RCW 42.17.240, if this report contains an original signature of the  
933 person filing the report. The board of ethics shall forward a copy of such statements,  
934 reports and forms to the ~~((division of records and))~~ elections division, or its successor  
935 agency, within ten days of their receipt.

936 B. Within ten days of employment or appointment and on or before April 15 of  
937 each year thereafter, the following employees shall file a written statement of financial

938 and other interests, as defined in this section, with the board of ethics: all employees  
939 appointed by the county executive; all employees appointed by the county administrative  
940 officer or department directors and who are subject to the approval of the county  
941 executive; all employees of the council; and such additional employees as may be  
942 determined in accordance with criteria adopted by the board of ethics under subsection C.  
943 of this section. Within two weeks of becoming a nominee for appointment to county  
944 boards and commissions, the nominee shall file a written statement of financial and other  
945 interests, as defined in this section, with the board of ethics.

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

951 D.1. The statement of financial and other interests required to be filed under this  
952 section must include the following information of which the employee has, or reasonably  
953 should have, knowledge for the reporting year:

954 a. compensation, gifts and things of value:

955 (1) the name of each person engaged in a transaction, as defined by K.C.C.  
956 3.04.017.F, with King County in which the employee may participate or has  
957 responsibility for, from whom the employee or a member of the employee's immediate  
958 family received any compensation, gift or thing of value; and

959 (2) the name of the individual who received the compensation, gift or thing of  
960 value and the individual's relationship to the employee;

- 961           b. financial interests:
- 962           (1) the name of each person engaged in a transaction, as defined by K.C.C.
- 963           3.04.017.F, with King County in which the employee may participate or has
- 964           responsibility for, in whom the employee or a member of the employee's immediate
- 965           family possessed a financial interest; and
- 966           (2) the name of the individual who possessed the financial interest and the
- 967           individual's relationship to the employee;
- 968           c. positions:
- 969           (1) the name of each person engaged in a transaction, as defined by K.C.C.
- 970           3.04.017.F, with King County in which the employee may participate or has
- 971           responsibility for, with whom the employee or a member of the employee's immediate
- 972           family held a position;
- 973           (2) the name of the individual who held the position and the individual's
- 974           relationship to the employee; and
- 975           (3) the title of the position; and
- 976           d. real property:
- 977           (1) real property, listed by street address, assessor parcel number or legal
- 978           description that was either involved in or the subject of an action by King County, in
- 979           which the employee or a member of the employee's immediate family possessed a
- 980           financial interest;
- 981           (2) the name of the individual who possessed the financial interest and the
- 982           individual's relationship to the employee; and
- 983           (3) the name of the King County department involved in the transaction.

984           2. Property for which the only county action was valuation for tax purposes  
985 does not have to be reported except by those employees of the department of assessments  
986 and the board of appeals who are required to file a report. The use the individual made of  
987 the real property, such as recreation, personal residence or income, does not have to be  
988 reported.

989           E. For purposes of the statements of financial and other interests required to be  
990 filed annually, the "reporting year" means the preceding calendar year. For purposes of  
991 the statements of financial and other interests to be filed within ten days of employment  
992 or appointment, the "reporting year" means the preceding twelve calendar months.

993           F. An individual filing a statement of financial affairs in accordance with  
994 subsections A. and B. of this section shall execute a written declaration that:

995           1. Recites that the statement is declared by the person to be true, complete and  
996 correct under penalty of perjury;

997           2. Is signed by the person;

998           3. States the date and place of the declaration's execution; and

999           4. States that the declaration is so declared under the laws of the state of  
1000 Washington.

1001           G. The financing of election campaigns shall continue to be governed by other  
1002 applicable local, state and federal laws, and not by the provisions of this chapter.

1003           H. Filing of the written statement of financial and other interests, as defined in  
1004 this section, does not relieve the employee of the duty to notify his or her supervisor of a  
1005 potential conflict of interest as required by K.C.C. 3.04.037.

1006 I. The board may adopt rules and regulations by which affected employees may  
1007 request suspension or modification of the requirements to disclose financial and other  
1008 interests set forth in this section if the literal application of the requirements would cause  
1009 a manifestly unreasonable hardship and the suspension or modification would not  
1010 frustrate the purposes of this chapter.

1011 J. The board of ethics may adopt necessary and appropriate rules, regulations and  
1012 forms related to completing, filing, maintaining and disclosing statements of financial  
1013 and other interests under this section. The board, if adopting the rules, regulations and  
1014 forms, shall adopt them as provided in K.C.C. chapter 2.98.

1015 SECTION 42. Ordinance 543, Section 4, as amended, and K.C.C. 3.08.040 are  
1016 each hereby amended to read as follows:

1017 Candidates for county personnel board member shall file declarations of candidacy  
1018 with the (~~records and~~) elections division not earlier than twenty-nine days and not later  
1019 than twenty-five days prior to the primary during each election year prescribed herein. Any  
1020 candidate may withdraw his or her declaration not later than nineteen days prior to the first  
1021 election during each election year prescribed herein. A non-refundable five dollar filing fee  
1022 shall be charged for filing a declaration of candidacy.

1023 SECTION 43. Ordinance 543, Section 6, as amended, and K.C.C. 3.08.060 are  
1024 each hereby amended to read as follows:

1025 A. Notice of the candidacy filing period and of each primary and election shall be  
1026 prepared by the (~~records and~~) elections division and distributed to all county agencies  
1027 employing persons eligible to vote. Agency directors and managers shall ensure that  
1028 eligible employees under their supervision are provided notification. Copies of the notices

1029 shall be posted in prominent places within buildings in which eligible employees are  
1030 employed.

1031 B. The notice for the candidacy filing period shall be made not later than thirty-five  
1032 days prior to the date of the primary. The notice of the primary and election shall be made  
1033 not later than twenty-five days prior to the date of the primary prescribed by this chapter.

1034 SECTION 44. Ordinance 12014, Section 4, and K.C.C. 3.08.070 are each hereby  
1035 amended to read as follows:

1036 The primaries and elections called for in this chapter shall be conducted by the  
1037 ~~((records and))~~ elections division generally following the procedures for conducting county  
1038 elections except as otherwise provided in this chapter or as prescribed by administrative  
1039 rules promulgated by the ~~((records and))~~ elections division manager. The manager is  
1040 authorized to conduct such elections by mail ballot including distribution with employee  
1041 paychecks or by the ~~((U.S.))~~ United States ~~((p))~~ Postal ~~((s))~~ Service. Ballots may be returned  
1042 to the ~~((records and))~~ elections division via the ~~((U.S.))~~ United States ~~((p))~~ Postal  
1043 ~~((s))~~ Service or in a secure manner as approved by the manager of the ~~((records and))~~  
1044 elections division. The results of the election shall be certified by the ~~((records and))~~  
1045 elections division manager. The manager shall issue certificates of nomination as  
1046 applicable and a certificate of election to the successful candidate.

1047 Any resident of the ~~((S))~~ state of Washington, except a current employee of the  
1048 county, is eligible to file for candidacy for the position of career service employee  
1049 representative.

1050 SECTION 47. Ordinance 12026, Section 9, and K.C.C. 4.18.080 are each hereby  
1051 amended to read as follows:

1052           A. The executive, through the administrator, shall have the responsibility for  
1053 monitoring implementation of the requirements of this chapter and shall have the power to  
1054 request from departments, responding parties and/or contractors any relevant records,  
1055 information and documents.

1056           B. Contract awarding authorities shall keep complete and detailed records  
1057 regarding compliance with this chapter. The records shall include the dollar value and  
1058 the subject matter of each contract along with the name of the contractor, the  
1059 participation levels (in dollars, number of contracts awarded, and type of work), of  
1060 minority/women's businesses where the contract  
1061 award provides for participation, and other information as the administrator deems  
1062 necessary.

1063           C. The administrator shall be responsible for gathering all information concerning  
1064 compliance with this chapter and shall have access to all pertinent county records.

1065           D. With the assistance of the administrator, each department shall submit to the  
1066 administrator an annual report on its performance in meeting the utilization goals required  
1067 by this chapter on or before March 15th of each year. This report shall include the number  
1068 and dollar amount of contracts awarded, by contract category and the dollar amount and the  
1069 percentage of minority/women's business participation by contract and contract category  
1070 and by number of set-aside contracts, percentage preference contracts, contracts requiring  
1071 affirmative efforts, and contracts for which waivers were granted. The report shall also  
1072 identify problems in meeting the requirements of this chapter, if any, and suggestions for  
1073 improvements.



1074 E. Monitoring of Effects. The administrator shall establish procedures to collect  
1075 evidence and monitor the effects of the provisions of this chapter in order to assure, insofar  
1076 as is practical, that the remedies set forth herein do not disproportionately favor one or  
1077 more racial or ethnic groups and that the remedies do not remain in effect beyond the point  
1078 that they are required to eliminate the effects of discrimination in the local contracting  
1079 industries. To the extent further amendments to this chapter are required to effect these  
1080 ends, the administrator shall prepare appropriate ordinances for the council's consideration.

1081 F. Certification and Recognition Process.

1082 1. Pursuant to Chap. 328, Laws of 1987, the Office of Minority and Women's  
1083 Businesses of the State of Washington shall be solely responsible for certifying and  
1084 decertifying businesses. The county's minority and women's business enterprise program is  
1085 only for minorities and minority business and women's businesses and combination  
1086 businesses as defined in ((Section)) K.C.C. 4.18.010; therefore the administrator shall  
1087 recognize only those combination minority and women's business enterprises or minority  
1088 business enterprises certified by the ((S))state of Washington which also meet the  
1089 definitions of ((Section)) K.C.C. 4.18.010, according to minority status information  
1090 provided to the county by the Office of Minority and Women's Businesses of the ((S))state  
1091 of Washington. Businesses are only eligible for the county's programs so long as they  
1092 remain certified by the ((S))state of Washington.

1093 2. It shall be considered a violation of this chapter to obtain, or attempt to obtain,  
1094 certification or the benefits of any provision of this chapter, on the basis of false or  
1095 misleading information, whether provided to the county or to the Office of Minority and  
1096 Women's Businesses of the ((S))state of Washington.

1097           3. No contract requiring or proposing minority/women's business participation  
1098 may be entered into unless all minority/women's businesses identified to meet the  
1099 utilization goals by a responding party were, at the time the bid was submitted, certified by  
1100 the Office of Minority and Women's Businesses of the State of Washington and recognized  
1101 by the administrator as eligible to participate in the county's minority/women's business  
1102 program and the administrator determines all identified minority/women's businesses  
1103 appear able to perform a commercially useful function on that contract as proposed. Lists  
1104 of certified and recognized minority/women's businesses shall be provided to all  
1105 departments and made available to the public.

1106           4. No business shall apply to the county in order to participate in the programs  
1107 established by this chapter.

1108           G. Where a complaint is filed within one year of the completion of all work on a  
1109 contract alleging a violation of this chapter by a contractor, subcontractor or contract-  
1110 awarding authority, or where, within that time period, evidence of a violation is discovered  
1111 from information gained through compliance monitoring, the administrator shall cause to  
1112 be served or mailed, by certified mail, return receipt requested, a copy of the complaint or  
1113 notice of investigation on the respondent within twenty days after the filing of said charge  
1114 and shall promptly make an investigation thereof. The investigation shall be directed to  
1115 ascertain the facts concerning the violation alleged in the complaint and shall be conducted  
1116 in an objective and impartial manner. During the investigation, the administrator shall  
1117 consider any statement of position or evidence with respect to the allegations of the  
1118 complaint which the complainant or the respondent wishes to submit.

1119           1. The administrator shall have authority to sign and issue subpoenas requiring the  
1120 attendance and testimony of witnesses, the production of evidence including but not limited  
1121 to books, records, correspondence or documents in the possession or under the control of  
1122 the person subpoenaed, and access to evidence for the purpose of examination and copying  
1123 as is necessary for the investigation. The administrator shall consult with the county  
1124 prosecuting attorney before issuing any subpoena under this section.

1125           If an individual fails to obey a subpoena, or obeys a subpoena but refuses to testify  
1126 when requested concerning any matter under investigation, the administrator may invoke  
1127 the aid of the county prosecuting attorney who shall petition to the ~~((S))~~superior ~~((C))~~court  
1128 for King County for an order or other appropriate action necessary to secure enforcement  
1129 of the subpoena. The petition shall be accompanied by a copy of the subpoena and proof of  
1130 service, and shall set forth in what specific manner the subpoena has not been complied  
1131 with, and shall ask for an order of the court to compel the witness to appear and testify or  
1132 cooperate in the investigation of the violation.

1133           2. The results of the investigation shall be reduced to written findings of fact and a  
1134 finding shall be made that there either is or is not reasonable cause for believing that a  
1135 violation has been or is being committed. If a finding is made that there is no reasonable  
1136 cause, said finding shall be served on the complainant and respondent. Within thirty days  
1137 after service of such negative finding, the complainant shall have the right to file a written  
1138 request with the administrator asking for reconsideration of the finding. The administrator  
1139 shall respond in writing within a reasonable time by granting or denying the request.

1140           H. If the finding is made initially or on request for reconsideration that reasonable  
1141 cause exists to believe that a violation by a contractor or subcontractor has occurred, the

1142 administrator shall endeavor to remedy the violation by conference, conciliation and  
1143 persuasion, which may include monetary compensation, the creation of additional  
1144 opportunities for minority or women's utilization on other contracts((,)) or such other  
1145 requirements as may lawfully be agreed upon by the parties and the administrator. Any  
1146 settlement agreement shall be reduced to writing and signed by both parties. An order shall  
1147 then be entered by the administrator setting forth the terms of the agreement. Copies of  
1148 such order shall be delivered to all affected parties and the original thereof filed with the  
1149 ((division of)) records and ((elections)) licensing services division.

1150 If no agreement can be reached, a finding to that effect shall be made by the  
1151 administrator and incorporated in a preliminary order, with a copy thereof furnished to the  
1152 complainant and the respondent. The preliminary order shall also include:

- 1153 1. A finding that a violation has occurred;
- 1154 2. The basis for such finding.

1155 I. In the case of failure to reach an agreement for the elimination of such a  
1156 violation, and upon the entry of a preliminary order, the complaint and any and all findings  
1157 made and remedies ordered shall be certified by the administrator to the office of the  
1158 county hearing examiner for hearing.

1159 A hearing shall be conducted by the office of the hearing examiner for the purpose  
1160 of affirming, denying, or modifying the preliminary order. The hearing shall be conducted  
1161 on the record and the hearing examiner shall have such rule making and other powers  
1162 necessary for conduct of the hearing as are specified by K.C.C. chapter 20.24. Such  
1163 hearings shall be conducted within a reasonable time after receipt of the certification.

1164 Written notice of the time and place of the hearing shall be given at least ten days prior to  
1165 the date of the hearing to each affected party and to the administrator.

1166 Each party shall have the following rights, among others:

- 1167 1. To call and examine witnesses on any matter relevant to the issues of the  
1168 complaint;
- 1169 2. To introduce documentary and physical evidence;
- 1170 3. To cross-examine opposing witnesses on any matter relevant to the issues of  
1171 the complaint;
- 1172 4. To impeach any witness regardless of which party first called him to testify;
- 1173 5. To rebut evidence against him/her; and
- 1174 6. To represent himself(~~/~~) or herself or to be represented by anyone of his(~~/~~) or  
1175 her choice who is lawfully permitted to do so.

1176 J. Following review of the evidence submitted, the hearing examiner presiding at  
1177 the hearing shall enter written findings and conclusions and shall render a written decision  
1178 and shall order one or more of the following:

- 1179 1. Dismissal of the complaint when a violation is found not to have occurred;
- 1180 2. Suspension or cancellation of the contract in part or in whole;
- 1181 3. Disqualification and/or debarment of the violator from participation in county  
1182 contracts for a period of up to five years;
- 1183 4. Exclusion of the violator from future contracts or vending until demonstration  
1184 of compliance;
- 1185 5. Enforcement of any provision of the contract providing remedies, such as  
1186 penalties or liquidated damages for violation of contractual provisions, or enforcement of

1187 any other remedy available under the laws of the county. Upon a finding by the hearing  
1188 examiner that a contractor has in fact failed to perform a commercially useful function or  
1189 has operated as a broker, front, conduit or pass through business, liquidated damages  
1190 specified in the contract shall be imposed unless the hearing examiner finds that imposition  
1191 of such damages would be clearly inequitable, in which case the hearing examiner may  
1192 order appropriate relief.

1193 K. If a finding is made that there is reasonable cause to believe that a contract  
1194 awarding authority has committed a violation, the finding shall be forwarded to the  
1195 executive, who shall review the evidence and shall order one or more of the following:

- 1196 1. Dismissal of the complaint when a violation is found not to have occurred;
- 1197 2. Corrective personnel action;
- 1198 3. Disqualification and suspension of authority of all members, any board,  
1199 commission, or other body constituting the violating contract awarding authority;
- 1200 4. Enforcement of any other remedy available under the laws of the county.

1201 L. Upon receipt of a written and signed allegation that a business owner is  
1202 improperly being considered to be, or has improperly been rejected as, a minority business  
1203 or women's business as defined in this chapter, or that a waiver or reduction of set-aside  
1204 requirements has been improperly denied or granted, or if such information is discovered  
1205 from information gained through compliance monitoring, the administrator shall conduct or  
1206 cause to be conducted an investigation. The pendency of such allegations or of subsequent  
1207 hearings on such allegations shall not be grounds to postpone or restrain the award of any  
1208 contracts then being advertised or for which bids have been received. If there is reasonable  
1209 cause to believe that corrective action is warranted, the administrator will, upon ten days

1210 written notice to all interested parties of whom he/she is aware, and upon publication of  
1211 notice of the hearing in the manner provided for the advertising of contracts, conduct or  
1212 cause to be conducted a hearing to determine whether or not the allegation is correct. The  
1213 hearing shall be recorded and each interested party shall have the right to call and examine  
1214 witnesses, to produce documentary and physical evidence, to cross-examine witnesses, and  
1215 to be represented by anyone of his((/)) or her choice lawfully permitted to do so. The  
1216 hearing officer designated by the administrator shall permit testimony to be given by any  
1217 parties which would be directly affected by the matter, and a representative of the executive  
1218 department or administrative office affected by the investigation.

1219           After the hearing, the administrator or designated hearing officer shall make  
1220 findings and conclusions and shall order appropriate corrective action, if any.

1221           M. In addition to any other remedy available under the laws of the county and the  
1222 ((S))state of Washington any person, firm, corporation, business, union, or organization  
1223 which prevents or interferes with or retaliates against a contractor and/or subcontractor's  
1224 efforts to comply with the requirements of this chapter or which submits false or  
1225 misleading information to any county department or employee concerning compliance with  
1226 this chapter shall be subject to a civil penalty of up to five thousand dollars for each  
1227 occurrence, the county having previously complied with the notice and hearing provisions  
1228 of this chapter. Each submission of false or misleading information shall constitute a  
1229 separate occurrence.

1230           SECTION 46. Ordinance 1888, Article I Section 2, as amended, and K.C.C.  
1231 6.01.010 are each hereby amended to read as follows:

1232 For the purpose of all business license ordinances the words and phrases used  
1233 herein, unless the context otherwise indicates, shall have the following meanings:

1234 A. "Certificate" means any certificate or renewal of certificate issued pursuant to  
1235 any business license ordinance;

1236 B. "Director" means for taxicabs and for-hire drivers and vehicles the manager of  
1237 the records(~~(, elections))~~) and licensing services division, department of executive services,  
1238 or his or her duly authorized representative. For all other business licenses, "director"  
1239 means the director of the department of development and environmental services, or his or  
1240 her duly authorized representative;

1241 C. "License" means any license or renewal of license issued pursuant to any  
1242 business license ordinance;

1243 D. "Licensee" means any person to whom a license or renewal of license has been  
1244 issued pursuant to any business license ordinance;

1245 E. "Permit" means any permit or renewal of permit issued pursuant to any business  
1246 license ordinance;

1247 F. "Person" means any individual, partnership, firm, joint stock company,  
1248 corporation, association, trust, estate or other legal entity;

1249 G. "Registrant" means any person to whom a registration or renewal of registration  
1250 has been issued pursuant to any business license ordinance;

1251 H. "Registration" means any registration or renewal of registration issued pursuant  
1252 to any business license ordinance.

1253 SECTION 47. Resolution 6574 (part), as amended, and K.C.C. 6.08.030 are each  
1254 hereby amended to read as follows:



1255 All license fees required by K.C.C. 6.08.020 are due and payable to the ((King  
1256 County)) records and licensing ((section)) services division at least twenty days before the  
1257 opening of entertainment.

1258 SECTION 48. Ordinance 10498, Sections 47 through 60, as amended, and K.C.C.  
1259 6.64.660 are each hereby amended to read as follows:

1260 A. A driver shall neither drink any alcoholic beverage while on duty or eight hours  
1261 before going on duty nor have in his or her possession an open or unsealed container of any  
1262 alcoholic beverage (Class M).

1263 B. A driver shall, at the end of each trip, check his or her vehicle for any article that  
1264 is left behind by his or her passenger or passengers. The articles are to be reported as found  
1265 property on the TAXI Hotline, as well as to the service organization, and the articles are to  
1266 be returned to the service organization or affiliated representative at the end of the shift or  
1267 sooner if possible. Unaffiliated taxicabs or for-hire vehicles shall deposit the articles at the  
1268 records(~~(elections))~~) and licensing services division (Class M).

1269 C. A driver shall have in his or her possession a valid for-hire driver's license at  
1270 any time he or she is driving, in control of or operating a taxicab or for-hire vehicle and the  
1271 license shall be displayed as prescribed by the director (Class I).

1272 D. A driver shall comply with any written notice of violation or notice of  
1273 correction by the director including removal from service (Class M).

1274 E. A driver shall not operate a taxicab or for-hire vehicle when the taxicab or for-  
1275 hire vehicle has been placed out-of-service by order of the director (Class M).

1276 F. A driver shall immediately surrender the vehicle license plate or decal to the  
1277 director upon written notice that the vehicle is out-of-service (Class M).

1278 G. A driver shall be in control of a taxicab or for-hire vehicle for neither more than  
1279 twelve consecutive hours nor for more than twelve hours spread over a total of fifteen  
1280 hours in any twenty-four-hour period. Thereafter, driver shall not drive any taxicab until  
1281 eight consecutive hours have elapsed (Class I).

1282 H. A driver shall not drive, operate or be in control of a taxicab or for-hire vehicle  
1283 other than that designated on the driver's temporary for-hire permit (Class I).

1284 I. A driver shall not drive, be in control of or operate a taxicab or for-hire vehicle  
1285 where the customer information board, as required under K.C.C. 6.64.410 is not present  
1286 and contains the required information (Class I).

1287 J. A driver shall operate the taxicab or for-hire vehicle with due regard for the  
1288 safety, comfort and convenience of passengers (Class I).

1289 K. A driver shall neither solicit for prostitution nor allow the vehicle to be used for  
1290 such an unlawful purpose (Class M).

1291 L. A driver shall not knowingly allow the taxicab or for-hire vehicle to be used for  
1292 the illegal solicitation, transportation, sale or any other activity related to controlled  
1293 substances (Class M).

1294 M. A driver shall deposit all refuse appropriately and under no circumstances may  
1295 litter (Class I).

1296 N. A driver shall not use offensive language, expressions or gestures to any person  
1297 while the driver is driving, operating or in control of a taxicab or for-hire vehicle (Class I).

1298 O. A driver shall not operate a wheelchair accessible taxicab unless the driver has  
1299 successfully completed the special training requirements in K.C.C. 6.64.570.

1300 P. A driver shall not use a cell phone while a passenger is in the taxicab.

1301            SECTION 49. Ordinance 5220, Section 2, as amended, and K.C.C. 6.80.020 are  
1302 each hereby amended to read as follows:

1303            The county shall distribute the marriage license fees as follows. For each license  
1304 sold:

1305            A. King County fees:

1306            1. \$8.00 - King County ~~((G))~~general ~~((F))~~fund (RCW 36.18.010)~~((-))~~;

1307            2. \$8.00 - King County ~~((F))~~family ~~((C))~~court ~~((F))~~fund (RCW 26.12.220), to be  
1308 used to pay for expenses of family court under chapter 25.12 RCW~~((-))~~;

1309            3. \$2.00 - King County Records Preservations Fund (RCW 36.22.170, to be  
1310 deposited in the ~~((Records and Elections))~~ recorder's ~~((O))~~operational and  
1311 ~~((M))~~maintenance fund for ongoing preservation of historical documents~~((-))~~;

1312            4. \$15.00 - King County ~~((F))~~family services ~~((F))~~fund (RCW 26.04.160), to be  
1313 used to fund family services.

1314 Fees collected in K.C.C. 6.80.020A.1 through ~~((K.C.C.))~~ 6.80.020A.4 ~~((above))~~ shall be  
1315 deposited in the same manner as other county funds and shall be maintained in a separate  
1316 account~~((-))~~; and

1317            B. State of Washington ~~((F))~~fees:

1318            1. \$10.00 - State of Washington Displaced Homemaker program (RCW  
1319 36.18.010), to be transmitted monthly to the state treasurer and deposited in the state  
1320 general fund for the purposes of the displaced homemaker act, chapter 28B.04 RCW~~((-))~~;

1321            2. \$5.00 - State of Washington Child Abuse program (RCW 36.18.010), to be  
1322 transmitted monthly to the state treasurer for use and support of the prevention of child  
1323 abuse and neglect activities~~((-))~~;

1324 3. \$2.00 - State of Washington Records Preservation program (RCW 36.22.170),  
1325 to be transmitted monthly to the state treasurer who shall distribute such funds to each  
1326 county treasurer within the state in July of each year in accordance with the formula  
1327 described in RCW 36.22.190 for ongoing preservation of historical documents of all county  
1328 offices and departments~~((-))~~; and

1329 4. \$2.00 - Surcharge for ~~((A))~~archives and ~~((R))~~records ~~((M))~~management (RCW  
1330 36.22.175), to be transmitted monthly to the state treasurer for deposit in the archives and  
1331 records management account. (Ord. 12919 § 1-2, 1997; Ord. 5220 § 2, 1980).

1332 SECTION 50. Ordinance 11177, Section 5, as amended, and K.C.C. 6.84.030 are  
1333 each hereby amended to read as follows:

1334 The operators of all existing shooting sports facilities shall apply for an operating  
1335 license no later than ~~((three months from the effective date of this chapter (January)))~~  
1336 April 9, 1994~~(( ))~~. The operator of each new shooting sports facility shall apply for an  
1337 operating license at the time of application for building permits or land use permits  
1338 necessary for the new facility. ~~((Said))~~ The application shall be made on a form  
1339 prescribed by the manager of the ~~((King County))~~ records and licensing ~~((and~~  
1340 regulatory~~))~~ services division. The ~~((King County))~~ records and licensing ~~((and~~  
1341 regulatory~~))~~ services division is authorized to issue such a license after a determination  
1342 that the application is accurate and complete, and includes a notarized certification by the  
1343 shooting sports facility operator that the facility meets commonly accepted shooting  
1344 facility safety and design practices and will be operated in a manner which protects the  
1345 safety of the general public. The records and licensing ~~((and regulatory))~~ services  
1346 division shall base its licensing determination on the review and concurrence of the King

1347 County departments of public safety and development and environmental services or  
1348 their designees. This section shall not relieve the applicant of any obligation to obtain  
1349 any other required land use or building permits or approvals, except shooting sports  
1350 facilities in operation (~~((prior to the effective date of this chapter ()))~~) before January 9,  
1351 1994(~~(())~~), shall not be required to seek new land use or building permits solely for  
1352 issuance of a license.

1353 SECTION 51. Ordinance 11177, Section 7, as amended, and K.C.C. 6.84.050 are  
1354 each hereby amended to read as follows:

1355 The manager of the records and licensing (~~((and regulatory))~~) services division may  
1356 deny, suspend or revoke any license issued under this chapter, consistent with K.C.C.  
1357 chapter 6.01, if the applicant, any of its officers, directors, partners, or members have  
1358 violated any of the provisions of this chapter. Further, if the (~~((King County department~~  
1359 ~~of public safety sheriff director))~~) sheriff determines that any participant, spectator,  
1360 neighboring property or member of the public has been injured or endangered as a result  
1361 of range design, operation or management of shooting activities, the manager of the  
1362 records and licensing (~~((and regulatory))~~) services division may immediately suspend or  
1363 revoke any shooting sports facility license issued pursuant to this chapter. Reinstatement  
1364 or re-issuance of any license suspended or revoked pursuant to the provisions of this  
1365 chapter will be contingent on review and determination by the (~~((King County))~~) records  
1366 and licensing (~~((and regulatory))~~) services division or its designee that the range operator  
1367 has made sufficient and appropriate modifications to the design or operation of the  
1368 facility to reasonably address the specific deficiencies found to have contributed to the  
1369 injury or endangerment.

1370            SECTION 52. Ordinance 11177, Section 9, as amended, and K.C.C. 6.84.070 are  
1371 each hereby amended to read as follows:

1372            The operating license shall be reviewed and renewed every five years. New  
1373 shooting types shall not be permitted until authorized by a new license. Applications for  
1374 license renewal shall be made in writing on forms prescribed by the manager of the  
1375 records and licensing (~~((and regulatory))~~) services division at least thirty days prior to the  
1376 expiration of the existing license.

1377            SECTION 53. Ordinance 11177, Section 10, as amended, and K.C.C. 6.84.080 are  
1378 each hereby amended to read as follows:

1379            All shooting sports facilities licensed pursuant to this chapter shall comply with  
1380 the following safety standards and specifications:

1381            A. All structures, installations, operations, and activities shall be located at such a  
1382 distance from property lines as will protect off-site properties from hazard, when the  
1383 ranges are used in accordance with range safety rules and practices.

1384            B. Range site design features and safety procedures shall be installed and  
1385 maintained to discourage errant rounds from escaping all shooting positions, when such  
1386 positions are used in accordance with range safety rules and practices.

1387            C. A plan shall be submitted with the license application which shows the  
1388 location of all buildings, parking areas and access points; safety features of the firing  
1389 range; elevations of the range showing target area, backdrops or butts; and approximate  
1390 location of buildings on adjoining properties.

1391            D. A safety plan shall be submitted which cites rules for each range, sign-in  
1392 procedures, and restrictions on activities in the use of ranges, and every safety plan shall

1393 prohibit loaded firearms except as provided by the range safety specifications and  
1394 operating procedures.

1395 E. All shooting sports facilities shall have a designated range master. A range  
1396 master must be present whenever the shooting sports facility is open to the public and  
1397 may oversee as many as three simultaneous public events within a shooting sports  
1398 facility.

1399 F. Where urban residentially zoned property or residential streets are located  
1400 adjacent to property containing an outdoor shooting sports facility, warning signs shall be  
1401 installed and maintained along the shooting sports facility property line.

1402 G. Shooting sports facilities shall be used for the shooting activities they were  
1403 designed to accommodate unless redesigned to safely accommodate new shooting  
1404 activities.

1405 H. The range operator shall report in writing to the manager of the records and  
1406 licensing (~~and regulatory~~) services division all on-site and off-site gunshot wounds  
1407 resulting from activity at the shooting sports facility.

1408 I. All shooting sports facilities shall provide a telephone available to range  
1409 participants and spectators for the purpose of contacting emergency medical services.

1410 J. A first-aid kit approved by the manager of the records and licensing (~~and~~  
1411 ~~regulatory~~) services division shall be readily available at each shooting sports facility for  
1412 emergency treatment or care of minor injuries.

1413 SECTION 54. Ordinance 12551, Section 5, and K.C.C. 6.84.095 are each hereby  
1414 amended to read as follows:

1415           A. Upon receiving a written complaint involving the operation or activities of any  
1416 shooting sports facility, the manager of the records and licensing (~~and regulatory~~)  
1417 services division shall cause the following to be performed:

1418           1. Issue a notice of complaint to the shooting sports facility operator advising  
1419 such person of the allegation(s) made in the complaint;

1420           2. Request the shooting sports facility operator to respond, in writing, to the  
1421 allegation(s) in the notice of complaint within thirty days of receipt of the notice of  
1422 complaint;

1423           3. Investigate the allegation(~~(s)~~) or allegations in the written complaint and the  
1424 response submitted by the shooting sports facility operator;

1425           4. Make a finding as to the validity of the allegation(~~(s)~~) or allegations in the  
1426 written complaint. If it is found that violation of any of the shooting sports facility safety  
1427 standards has occurred, issue a notice and order pursuant to the process described in  
1428 K.C.C. 6.01.130.

1429           B. Failure to comply with the notice and order issued as a result of the above  
1430 process will result in the suspension and/or revocation of the license involved. Such a  
1431 suspension/revocation will last one year from the date the license is surrendered.

1432           C. Nothing in this section shall be construed to limit authority to issue a notice  
1433 and order or take such enforcement or investigative actions deemed appropriate to protect  
1434 the public's health and safety.

1435           SECTION 55. Ordinance 1490, Section 3, as amended, and K.C.C. 8.60.030 are  
1436 each hereby amended to read as follows:



1437 Three copies of each disclosure or alternative waiver form must be prepared. One  
1438 copy shall be retained by the prospective vendor; one copy shall be retained by the  
1439 prospective purchaser. If the prospective purchaser enters into a binding agreement to  
1440 purchase, the vendor shall record the third copy with the ~~((King County))~~ records~~((;~~  
1441 ~~elections))~~ and licensing services division when other documents are recorded.

1442 SECTION 56. Ordinance 4938, Section 10, as amended, and K.C.C. 9.04.120 are  
1443 each hereby amended to read as follows:

1444 A. The person or persons holding title to the property and the applicant required  
1445 to construct a drainage facility shall remain responsible for the facility's continual  
1446 performance, operation and maintenance in accordance with the standards and  
1447 requirements of the department and remain responsible for any liability as a result of  
1448 these duties. This responsibility includes maintenance of a drainage facility which is:

- 1449 1. Under a maintenance guarantee or defect guarantee;
- 1450 2. A private road conveyance system;
- 1451 3. Released from all required financial guarantees prior to July 7, 1980 ~~((the~~  
1452 ~~effective date of Ordinance 4938)))~~);
- 1453 4. Located within and serving only one single family residential lot;
- 1454 5. Located within and serving a ~~((multi-family))~~ multifamily or commercial site  
1455 unless the facility is part of an approved shared facility plan;
- 1456 6. Located within or associated with an administrative or formal subdivision  
1457 which handles runoff from an area of which less than two-thirds is designated for  
1458 detached or townhouse dwelling units located on individual lots unless the facility is part  
1459 of an approved shared facility plan;

1460 7. Previously terminated for assumption of maintenance responsibilities by the  
1461 department in accordance with K.C.C. 9.04.110; or

1462 8. Not otherwise accepted by the county for maintenance.

1463 B. Prior to the issuance of any of the permits ~~((and/or))~~ for any multi~~((--))~~family  
1464 or commercial project required to have a flow control or water quality treatment facility,  
1465 the applicant shall record a declaration of covenant as specified in the Surface Water  
1466 Design Manual. The restrictions set forth in such covenant shall include, but not be  
1467 limited to, provisions for notice to the persons holding title to the property of a King  
1468 County determination that maintenance and/or repairs are necessary to the facility and a  
1469 reasonable time limit in which such work is to be completed.

1470 1. In the event that the titleholders do not effect such maintenance and/or  
1471 repairs, King County may perform such work upon due notice. The titleholders are  
1472 required to reimburse King County for any such work. The restrictions set forth in such  
1473 covenant shall be included in any instrument of conveyance of the subject property and  
1474 shall be recorded with the ~~((King County))~~ records and licensing services division.

1475 2. The county may enforce the restrictions set forth in the declaration of  
1476 covenant provided in the Surface Water Design Manual.

1477 C. Prior to the issuance of any of the permits and/or approvals for the project or  
1478 the release of financial guarantees posted to guarantee satisfactory completion, the person  
1479 or persons holding title to the subject property for which a drainage facility was required  
1480 shall pay a fee established by the director of department of development and  
1481 environmental services to reasonably compensate the county for costs relating to

1482 inspection of the facility to ensure that it has been constructed according to plan and  
1483 applicable specifications and standards.

1484 D. The duties specified in this section with regard to payment of inspection fees  
1485 and reimbursement of maintenance costs shall be enforced against the person or persons  
1486 holding title to the property for which the drainage facility was required.

1487 E. Where not specifically defined in this section, the responsibility for  
1488 performance, operation and maintenance of drainage facilities and conveyance systems,  
1489 both natural and constructed, shall be determined on a case-by-case basis.

1490 SECTION 57. Ordinance 1269, Section 1, as amended, and K.C.C. 11.02.010 are  
1491 each hereby amended to read as follows:

1492 There is established an animal care and control section in the records(~~(, elections))~~  
1493 and licensing services division. The animal care and control section is by this chapter  
1494 designated the agency authorized to provide animal care services and enforce animal  
1495 control laws.

1496 SECTION 58. Ordinance 1396, Article 1 Section 3, as amended, and K.C.C.  
1497 11.04.020 are each hereby amended to read as follows:

1498 In construing this chapter, except where otherwise plainly declared or clearly  
1499 apparent from the context, words shall be given their common and ordinary meaning. In  
1500 addition, the following definitions apply to this chapter:

1501 A. "Abate" means to terminate any violation by reasonable and lawful means  
1502 determined by the manager of the animal care and control authority in order that an owner  
1503 or a person presumed to be the owner shall comply with this chapter.

1504 B. "Animal" means any living creature except Homo sapiens, insects and worms.

1505 C. "Animal care and control authority" means the county animal care and control  
1506 section of the records(~~(, elections))~~) and licensing services division, acting alone or in  
1507 concert with other municipalities for enforcement of the animal care and control laws of the  
1508 county and state and the shelter and welfare of animals.

1509 D. "Animal care and control officer" means any individual employed, contracted  
1510 or appointed by the animal care and control authority for the purpose of aiding in the  
1511 enforcement of this chapter or any other law or ordinance relating to the care and  
1512 licensing of animals, control of animals or seizure and impoundment of animals, and  
1513 includes any state or municipal peace officer, sheriff, constable or other employee whose  
1514 duties in whole or in part include assignments that involve the seizure and taking into  
1515 custody of any animal.

1516 E. "Cattery" means a place where four or more adult cats are kept, whether by  
1517 owners of the cats or by persons providing facilities and care, whether or not for  
1518 compensation, but not including a pet shop. An adult cat is one of either sex, altered or  
1519 unaltered, that is at least six months old.

1520 F. "Domesticated animal" means a domestic beast, such as any dog, cat, rabbit,  
1521 horse, mule, ass, bovine animal, lamb, goat, sheep, hog or other animal made to be  
1522 domestic.

1523 G. "Euthanasia" means the humane destruction of an animal accomplished by a  
1524 method that involves instantaneous unconsciousness and immediate death or by a method  
1525 that causes painless loss of consciousness and death during the loss of consciousness.

1526 H. "Fostering" means obtaining unwanted dogs or cats and locating adoptive  
1527 homes for those licensed and spayed or neutered dogs or cats. Individuals who wish to

1528 foster dogs and cats, and who through the activity shall routinely or from time to time  
1529 harbor, keep or maintain more dogs and cats than allowed in K.C.C. Title 21A, must obtain  
1530 either an individual or organizational private animal placement permit.

1531 I. "Grooming service" means any place or establishment, public or private, where  
1532 animals are bathed, clipped or combed for the purpose of enhancing either their aesthetic  
1533 value or health, or both, and for which a fee is charged.

1534 J. "Harbored, kept or maintained" means performing any of the acts of providing  
1535 care, shelter, protection, refuge, food or nourishment in such a manner as to control the  
1536 animal's actions, or that the animal or animals are treated as living at one's house by the  
1537 homeowner.

1538 K. "Hobby cattery" means a noncommercial cattery at or adjoining a private  
1539 residence where four or more adult cats are bred or kept for exhibition for organized shows  
1540 or for the enjoyment of the species. However, a combination hobby cattery/kennel license  
1541 may be issued where the total number of cats and dogs exceeds the number allowed in  
1542 K.C.C. Title 21A.

1543 L. "Hobby kennel" means a noncommercial kennel at or adjoining a private  
1544 residence where four or more adult dogs are bred or kept for any combination of hunting,  
1545 training and exhibition for organized shows, for field, working or obedience trials or for the  
1546 enjoyment of the species. However, a combination hobby cattery/kennel license may be  
1547 issued where the total number of cats and dogs exceeds the number allowed in K.C.C. Title  
1548 21A.

1549 M. "Juvenile" means any dog or cat, altered or unaltered, that is under six months  
1550 old.

1551 N. "Kennel" means a place where four or more adult dogs are kept, whether by  
1552 owners of the dogs or by persons providing facilities and care, whether or not for  
1553 compensation, but not including a pet shop. An adult dog is one of either sex, altered or  
1554 unaltered, that is at least six months old.

1555 O. "Livestock" has the same meaning as in K.C.C. 21A.06.695.

1556 P. "Owner" means any person having an interest in or right of possession to an  
1557 animal. "Owner" also means any person having control, custody or possession of any  
1558 animal, or by reason of the animal being seen residing consistently at a location, to an  
1559 extent such that the person could be presumed to be the owner.

1560 Q. "Pack" means a group of two or more animals running upon either public or  
1561 private property not that of its owner in a state in which either its control or ownership is in  
1562 doubt or cannot readily be ascertained and when the animals are not restrained or  
1563 controlled.

1564 R. "Person" means any individual, partnership, firm, joint stock company,  
1565 corporation, association, trust, estate or other legal entity.

1566 S. "Pet" means a dog or a cat or any other animal required to be licensed by this  
1567 chapter. "Dog," "cat" and "pet" may be used interchangeably.

1568 T. "Pet shop" means any person, establishment, store or department of any store  
1569 that acquires live animals, including birds, reptiles, fowl and fish, and sells or rents, or  
1570 offers to sell or rent, the live animals to the public or to retail outlets.

1571 U. "Private animal placement permit - individual" means a permit issued to persons  
1572 engaged in fostering dogs and cats who meet certain requirements to allow the persons to  
1573 possess more dogs and cats than is specified in K.C.C. Title 21A. Persons holding an

1574 individual private animal placement permit and fostering dogs and cats must locate an  
1575 adoptive home for a dog or cat within six months of acquisition of the dog or cat.

1576 V. "Private animal placement permit - organizational" means permits issued to  
1577 organizations engaged in fostering dogs and cats, the organizations having first met certain  
1578 requirements. These organizations may distribute these permits to individuals who will  
1579 foster the dogs and cats in their homes. The permits will allow the individuals to possess  
1580 more dogs and cats than is specified in K.C.C. Title 21A. The organizations must be  
1581 approved by the manager of the animal care and control section, and their permit holders  
1582 must locate an adoptive home for a dog or cat within six months of acquisition of the dog  
1583 or cat.

1584 W. "Running at large" means to be off the premises of the owner and not under  
1585 the control of the owner, or competent person authorized by the owner, either by leash,  
1586 verbal voice or signal control.

1587 X. "Service animal" means any animal that is trained or being trained to aid a  
1588 person who is blind, hearing impaired or otherwise disabled and is used for that purpose  
1589 and is registered with a recognized service animal organization.

1590 Y. "Shelter" means a facility that is used to house or contain stray, homeless,  
1591 abandoned or unwanted animals and that is owned, operated or maintained by a public  
1592 body, an established humane society, animal welfare society, society for the prevention  
1593 of cruelty to animals or other nonprofit organization or person devoted to the welfare,  
1594 protection and humane treatment of animals.

1595 Z. "Special hobby kennel license" means a license issued under certain  
1596 conditions to pet owners, who do not meet the requirements for a hobby kennel license,

1597 to allow them to retain only those specific dogs and cats then in their possession until  
1598 such time as the death or transfer of the animals reduces the number they possess to the  
1599 legal limit in K.C.C. Title 21A, the King County zoning code.

1600 AA. "Under control" means the animal is either under competent voice control or  
1601 competent signal control, or both, so as to be restrained from approaching any bystander  
1602 or other animal and from causing or being the cause of physical property damage when  
1603 off a leash or off the premises of the owner.

1604 BB. "Vicious" means having performed the act of, or having the propensity to do  
1605 any act, endangering the safety of any person, animal or property of another, including,  
1606 but not limited to, biting a human being or attacking a human being or domesticated  
1607 animal without provocation.

1608 SECTION 59. Ordinance 10423, Section 10, as amended, and K.C.C. 11.04.590  
1609 are each hereby amended to read as follows:

1610 Funds collected from the animal care and control license canvassing program and  
1611 the sale of juvenile licenses should be used for the following purposes:

1612 A. Fifty percent to pay for or provide reimbursements for the cost of spaying and  
1613 neutering of cats and dogs. Although the subsidy shall be available to all people who own  
1614 unaltered dogs or cats, the emphasis should be for pets owned or harbored by low-income  
1615 or fixed-income residents or senior citizens on a low or fixed income to make spaying and  
1616 neutering affordable and convenient for them.

1617 B. Fifty percent to provide public education to prevent the overpopulation of dogs  
1618 and cats and to encourage licensing and the responsible treatment of cats and dogs. The



1619 education program shall include but not be limited to public advertising and informational  
1620 campaigns.

1621 C. If the records(~~(elections)~~) and licensing services division cannot adhere to the  
1622 expenditure targets listed in subsections A. and B. of this section, it shall be noted in the  
1623 annual budget proposed by the King County executive.

1624 SECTION 60. Ordinance 9464, Section 6, as amended, and K.C.C. 11.06.060 are  
1625 each hereby amended to read as follows:

1626 Ongoing administrative support to the committee shall be provided by the manager  
1627 of the records(~~(elections)~~) and licensing services division.

1628 SECTION 61. Ordinance 3732, Section 1, as amended, and K.C.C. 11.08.040 are  
1629 each hereby amended to read as follows:

1630 A. Petitions requesting the King County council to create a dog control zone shall  
1631 be submitted to the office of the clerk of the council. The clerk of the council shall forward  
1632 copies of the petitions and other materials to:

1633 1. The office of the councilmember in whose district the proposed zone is  
1634 requested;

1635 2. The animal care and control section of the records(~~(elections)~~) and licensing  
1636 services division; and

1637 3. The manager of the records(~~(elections)~~) and licensing services division.

1638 B. Petitions shall be accompanied by a map and should include a legal description  
1639 of the proposed zone. In addition, the petitions should contain:

1640 1. The signatures, both written and printed legibly, of at least ten percent of the  
1641 registered voters within the proposed zone; and

1642 2. The popular addresses of the petitioners.

1643 C. Upon receipt of the copy of the filed petition, the animal care and control  
1644 section shall conduct a comprehensive review of the enforceability of the proposed  
1645 boundaries and if necessary recommend alternative boundaries to the director of the  
1646 department of executive services and the affected councilmember.

1647 D. The records(~~(, elections))~~) and licensing services division shall:

1648 1. Determine the approximate number of registered voters within the proposed  
1649 zone;

1650 2. Determine the number of signatures of registered voters in the petition; and

1651 3. Forward the conclusions regarding the number of signatures of registered  
1652 voters and total number of registered voters residing within the proposed zone to the office  
1653 of the affected councilmember and the director of the department of executive services.

1654 E. The executive may recommend by ordinance a proposed dog control zone to the  
1655 council based on the recommendation of the director of the department of executive  
1656 services.

1657 F. In addition to other statutory requirements, the council may cause to occur any  
1658 public meetings or notification through the local media as it considers necessary to ensure  
1659 that affected citizens are aware of the proposed ordinance to create a dog control zone.

1660 G. If the King County council finds the formation of the petitioned area to be  
1661 beneficial to be public health, safety and general welfare, it shall establish such a dog  
1662 control zone by ordinance. The council shall consider, but is not limited to considering, the  
1663 location, terrain and surrounding land use of the petitioned area.

1664            SECTION 62. Resolution 27312, Section 1, as amended, and K.C.C. 11.12.010 are  
1665 each hereby amended to read as follows:

1666            Whenever the director of the Seattle-King County department of public health has  
1667 cause to suspect that an animal capable of transmitting rabies is infected with the disease,  
1668 the director shall order a period of quarantine of not less than ten days. The director shall  
1669 notify in writing the owner or keeper of the infected animal of the quarantine order. The  
1670 infected animal shall be quarantined by the animal care and control section in the records((;  
1671 elections)) and licensing services division in its shelter or upon the premises of the owner  
1672 or licensed veterinarian where conditions of quarantine are strictly kept. The place of  
1673 quarantine shall be at the discretion of the director, unless the animal had been exposed to  
1674 rabies by contact, in which case K.C.C. 11.12.040 shall apply. Delivery of a copy of the  
1675 quarantine order to some person of suitable age and discretion residing upon the premises  
1676 where the animal is found shall be notice of the quarantine. Good cause for such an order  
1677 of quarantine shall include, but is not limited to, evidence that the animal has bitten, or that  
1678 there is reasonable certainty that the animal has bitten, a human being. During the period  
1679 of quarantine, the officers, agents and employees of the animal care and control section,  
1680 and other police officers, are authorized to enter any premises for the purpose of  
1681 apprehending any such an animal and impounding the animal, except where the animal is  
1682 kept upon the premises of the owner or licensed veterinarian as provided in this section.

1683            SECTION 63. Ordinance 2473, Section 2, as amended, and K.C.C. 11.28.020 are  
1684 each hereby amended to read as follows:

1685            The definitions in this section apply throughout this chapter unless the context  
1686 clearly requires otherwise.

1687           A. "Animal care and control authority" means the animal care and control section  
1688 in the records(~~(, elections))~~) and licensing services division, acting alone or in concert with  
1689 other municipalities for enforcement of the animal care and control laws of the county and  
1690 state and the shelter and welfare of animals.

1691           B. "Director" means director of the department of executive services.

1692           C. "Exotic animal" means any of the following:

1693                 1. Venomous species of snakes capable of inflicting serious physical harm or  
1694 death to human beings;

1695                 2. Nonhuman primates and prosimians;

1696                 3. Bears;

1697                 4. Nondomesticated species of felines;

1698                 5. Nondomesticated species of canines and their hybrids, including wolf and  
1699 coyote hybrids; and

1700                 6. The order Crocodylia, including alligators, crocodiles, caimans and gavials.

1701           SECTION 64. Ordinance 3232, Section 2, as amended, and K.C.C. 11.32.020 are  
1702 each hereby amended to read as follows:

1703           The definitions in this section apply throughout this chapter unless the context  
1704 clearly requires otherwise.

1705           A. "Animal care and control authority" means the animal care and control section  
1706 in the records(~~(, elections))~~) and licensing services division, acting alone or in concert with  
1707 other municipalities in the enforcement of the animal care and control laws of the county  
1708 and state.

1709           B. "Director" means director of the department of executive services.

1710 C. "Guard dog" means any member of the dog family Canidae that has been  
1711 trained or represented as trained to protect either person or property, or both, by virtue of  
1712 exhibiting hostile propensities and aggressiveness to unauthorized persons.

1713 D. "Guard dog purveyor" means any person, firm or corporation supplying guard  
1714 dogs to members of the public.

1715 E. "Guard dog trainer" means any person, either as an individual or as an employee  
1716 of a guard dog purveyor, whose prime function is the training of dogs as guard dogs.

1717 F. "Rules and regulations of the animal care and control authority" means such  
1718 rules and regulations, consistent with the intent of this chapter, as may be adopted by the  
1719 animal care and control authority under K.C.C. chapter 2.98.

1720 SECTION 65. Ordinance 11992, Section 13, and K.C.C. 12.16.115 are each  
1721 hereby amended to read as follows:

1722 A. Where a complaint alleging a violation of this chapter has been filed by any  
1723 individual or entity, including a contract awarding authority, within six months of the  
1724 completion of all work on a contract alleging a violation of this chapter by a contractor or  
1725 where, within that same time period, evidence of a violation is discovered from information  
1726 gained through compliance monitoring, the administrator shall cause to be served or  
1727 mailed, by certified mail, return receipt requested, a copy of the complaint or notice of  
1728 investigation on the respondent within twenty days after the filing of said charge and shall  
1729 promptly make an investigation thereof. If the investigation is conducted by a party  
1730 selected by the administrator, the costs of such an investigation shall be borne by the  
1731 department or project, as applicable, for which the contract was awarded. The investigation  
1732 shall be directed to ascertain the facts concerning the violation alleged in the complaint and

1733 shall be conducted in an objective and impartial manner. During such an investigation, the  
1734 administrator shall consider any statement of position or evidence with respect to the  
1735 allegations of the complaint which the complainant or the respondent wishes to submit.

1736 1. The administrator shall have the authority to sign and issue subpoenas requiring  
1737 the attendance and testimony of witnesses, the production of evidence including but not  
1738 limited to books, records, correspondence or documents in the possession or under the  
1739 control of the person or entity subpoenaed, and access to evidence for the purpose of  
1740 examination and copying as is necessary for the investigation. The administrator shall  
1741 consult with the prosecuting attorney before issuing any subpoena under this section.

1742 If an individual or entity fails to obey a subpoena issued hereunder, or obeys a  
1743 subpoena but refuses to testify when requested concerning any matter under investigation,  
1744 the administrator may seek the assistance of the county prosecuting attorney by requesting  
1745 that the ((prosecutor)) prosecuting attorney petition the ((S))superior ((C))court for King  
1746 County for an order or other appropriate action necessary to secure enforcement of the  
1747 subpoena.

1748 2. The results of the investigation shall be reduced to written findings of fact and a  
1749 finding shall be made that there either is or is not reasonable cause for believing that a  
1750 violation has been or is being committed. If a finding is made that there is no reasonable  
1751 cause, said finding shall be served on the complainant and respondent. Within thirty days  
1752 after service of such negative finding, the complainant shall have the right to file a written  
1753 request with the administrator asking for reconsideration of the finding. The administrator  
1754 shall respond to such request in writing within a reasonable time by granting or denying the  
1755 request and specifying the reasons for either granting or denying the request.

1756           B. If the finding is made initially or on request for reconsideration that reasonable  
1757 cause exists to believe that a violation by a contractor or subcontractor has occurred, the  
1758 administrator shall endeavor to remedy the violation by conference, conciliation and  
1759 persuasion, which may, by agreement of the parties, include monetary compensation, the  
1760 creation of additional opportunities for minorities, women or persons with disabilities to be  
1761 employed on other contracts, or such other requirements as may lawfully be agreed upon  
1762 by the parties and the administrator. Any settlement agreement shall be reduced to writing  
1763 and signed by both parties. An order shall then be entered by the administrator setting  
1764 forth the terms of the agreement. Copies of such an order shall be delivered to all affected  
1765 parties and the original thereof recorded with the ~~((division of))~~ records and ~~((elections))~~  
1766 licensing services division.

1767           If no agreement can be reached, a finding to that effect shall be made by the  
1768 administrator and incorporated in a preliminary order, with a copy thereof furnished to the  
1769 complainant and respondent. The preliminary order shall also include:

- 1770           1. A finding that a violation has occurred;
- 1771           2. The basis for such finding.

1772           C. In the case of failure to reach an agreement for the elimination of such a  
1773 violation, and upon the entry of a preliminary order, the complaint and any and all findings  
1774 made and remedies ordered shall be certified by the administrator to the office of the  
1775 county hearing examiner for hearing.

1776           A hearing shall thereafter be conducted by the office of the hearing examiner for the  
1777 purpose of affirming, denying, or modifying the preliminary order. The hearing shall be  
1778 conducted on the record and the hearing examiner shall have such rule making and other

1779 powers necessary for conduct of the hearing as are specified by K.C.C. 24.170. Such  
1780 hearings shall be conducted within a reasonable time after receipt of the certification.  
1781 Written notice of the time and place of the hearing shall be given at least ten days prior to  
1782 the date of the hearing to each affected party and to the administrator.

1783 Each party shall have the following rights, among others:

- 1784 1. To call and examine witnesses on any matter relevant to the issues of the  
1785 complaint;
- 1786 2. To introduce documentary and physical evidence;
- 1787 3. To cross-examine opposing witnesses on any matter relevant to the issues of  
1788 the complaint;
- 1789 4. To impeach any witness regardless of which party first called such witness to  
1790 testify;
- 1791 5. To rebut evidence presented against a party;
- 1792 6. To self-representation or to be represented by anyone of a party's choice who is  
1793 lawfully permitted to do so.

1794 D. Following review of the evidence submitted, the hearing examiner presiding at  
1795 the hearing shall enter written findings and conclusions, shall render a written decision and  
1796 shall order one or more of the following:

- 1797 1. Dismissal of the complaint when a violation is found not to have occurred;
- 1798 2. Suspension or cancellation of the contract in part or in whole;
- 1799 3. Disqualification and/or debarment of the violator from participation in county  
1800 contracts for a period of up to five years;



1801           4. Exclusion of the violator from future contracts or vending until demonstration  
1802 of compliance;

1803           5. Enforcement of any provision of the contract providing remedies, such as  
1804 penalties or liquidated damages for violation of contractual provisions or enforcement of  
1805 any other remedy available under the laws of the county. Upon a finding by the hearing  
1806 examiner that a contractor has in fact failed to abide by the provisions of this chapter,  
1807 liquidated damages not to exceed the entire contract amount shall be imposed unless the  
1808 hearing examiner finds that the imposition of such damages would be clearly inequitable,  
1809 in which case the hearing examiner may grant such other relief as may be lawful and  
1810 appropriate.

1811           E. In the case where the alleged violator is the contract awarding authority, and a  
1812 finding is made that there is reasonable cause to believe that the contract awarding  
1813 authority has committed a violation, the finding shall be forwarded to the executive, who  
1814 shall review the evidence and may order one or more of the following:

- 1815           1. Dismissal of the complaint when a violation is found not to have occurred;  
1816           2. Corrective personnel action;  
1817           3. Disqualification and suspension of authority of all members, any board,  
1818 commission, or other body constituting the violating contract awarding authority;  
1819           4. Enforcement of any other remedy available under the laws of the county.

1820           F. In addition to any other remedy available under the laws of the county and the  
1821 State of Washington, any person, firm, corporation, business, union, or organization which  
1822 prevents or interferes with or retaliates against a contractor and/or subcontractor's efforts to  
1823 comply with the requirements of this chapter or which submits false or misleading

1824 information to any county department or employee concerning compliance with this  
1825 chapter shall be subject to a civil penalty of up to five thousand dollars for each occurrence,  
1826 the county having previously complied with the notice and hearing provisions of this  
1827 chapter. Each submission of false or misleading information shall constitute a separate  
1828 occurrence.

1829 SECTION 66. Ordinance 13981, Section 6, as amended, and K.C.C. 12.17.050 are  
1830 each hereby amended to read as follows:

1831 A.1. If the finding is made initially or on request for reconsideration that  
1832 reasonable cause exists to believe that an unfair contracting practice occurred, the office of  
1833 civil rights shall endeavor to eliminate the unfair practice by conference, conciliation and  
1834 persuasion, which may include as a condition of settlement:

- 1835 a. elimination of the unfair contracting practice;
- 1836 b. payment of actual damages including payment of lost profits not in excess of  
1837 the amount of monetary damage actually incurred;
- 1838 c. payment of damages caused by emotional distress, humiliation and  
1839 embarrassment;
- 1840 d. payment of attorneys' fees and costs; and
- 1841 e. such other requirements as may be agreed upon by the parties and the office of  
1842 civil rights.

1843 2. A settlement agreement shall be reduced to writing and signed by the  
1844 respondent and the charging party and shall be approved by the office of civil rights. An  
1845 order shall then be entered by the office of civil rights setting forth the terms of the  
1846 agreement. Copies of the order shall be delivered to all affected parties and the original of

1847 the order filed with the ((division of)) records and ((elections)) licensing services division.

1848 Failure to comply with the postfinding settlement agreement or order may be enforced

1849 under K.C.C. 12.17.070. Each postfinding settlement agreement is a public record.

1850 B.1. If the parties cannot reach agreement, the office of civil rights shall make a  
1851 finding to that effect, incorporate the findings in the order and furnish a copy of the order to  
1852 all affected parties. The order shall also include:

1853 a. a finding that an unfair contracting practice has occurred;

1854 b. the basis for the finding; and

1855 c. an order requiring the respondent to cease and desist from the unfair practice  
1856 and to take appropriate affirmative measures, which may include:

1857 (1) payment of actual damages including payment of lost profits not in excess  
1858 of the amount of monetary damages actually incurred;

1859 (2) payment of damages caused by emotional distress, humiliation and  
1860 embarrassment;

1861 (3) payment of attorneys' fees and costs; and

1862 (4) such other action as in the judgment of the office of civil rights will  
1863 effectuate the purposes of this chapter, which may include the requirement for a report on  
1864 the matter of compliance.

1865 2. If the office of civil rights finds the respondent willfully or knowingly  
1866 committed any unfair contracting practice, the office of civil rights may further order the  
1867 respondent to pay a civil penalty of up to one thousand dollars per violation, which penalty  
1868 shall be paid to the King County treasury for deposit in the county general fund.

1869 C. If there is a failure to reach an agreement for the elimination of any unfair  
1870 contracting practice where the respondent is an executive department, division or office of  
1871 the county, the office of civil rights may compel compliance by the executive department,  
1872 division or office with any settlement agreement agreed to between the complainant and the  
1873 office of civil rights.

1874 SECTION 67. Ordinance 4257, Section 17, as amended, and K.C.C. 12.46.170 are  
1875 each hereby amended to read as follows:

1876 A. In addition to or as an alternative to any other judicial or administrative remedy  
1877 provided in this chapter or by law or other ordinance, the director may order a condition in  
1878 violation of this chapter to be abated. The director may order any person who creates or  
1879 maintains such a violation to commence corrective work and to complete the work within  
1880 such time as the director determines reasonable under the circumstances.

1881 B. If the required corrective work is not commenced or completed within the time  
1882 specified, the director may proceed to abate the violation and cause the necessary work to  
1883 be accomplished. King County shall have a lien for the cost of the work accomplished  
1884 pursuant to this ordinance, which shall be the joint and separate personal obligations of the  
1885 person or persons responsible for the violation. The director shall cause a claim for lien to  
1886 be recorded with the records and ((elections)) licensing services division, or its successor  
1887 agency.

1888 C. The lien created by this chapter shall be paramount to all other liens, except for  
1889 federal, state and county taxes, with which it shall be on a parity. The prosecuting attorney  
1890 on behalf of King County may collect the abatement work costs by use of all appropriate  
1891 legal remedies, including foreclosure of the lien.

1892            SECTION 68. Ordinance 1454, Sections 1 through 3, and K.C.C. 12.68.010 are  
1893 each hereby amended to read as follows:

1894            A. Petitions requesting the ((King County)) council to create a no shooting area or  
1895 dissolve an existing no-shooting area shall be filed with the clerk of the ((King County))  
1896 council. Petitions shall contain the signatures of at least ten elector-residents of each voting  
1897 precinct in the area under consideration. A map and legal description of the area shall be  
1898 included with the petitions.

1899            B. After petition signatures have been verified by the ((King County)) records and  
1900 ((elections)) licensing services division, the ((King County)) council shall set a date of  
1901 hearing. Legal notice of the hearing shall be published once in the official county  
1902 newspaper and once in a newspaper of general circulation within the proposed area, at least  
1903 ten days prior to the hearing.

1904            C. If the ((King County)) council finds the formation or dissolution of the  
1905 petitioned area to be beneficial to the public health, safety and general welfare, it shall  
1906 establish such a no shooting area by ordinance. The council shall consider, but is not  
1907 limited to, the location, terrain and surrounding land-use of the petitioned area.

1908            SECTION 69. Ordinance 10154, Section 4, as amended, and K.C.C. 12.82.040 are  
1909 each hereby amended to read as follows:

1910            The clerk of the council shall send notice of adoption of each ordinance approving a  
1911 map pursuant to K.C.C. 12.82.020 or K.C.C. 12.82.030 of this chapter to the clerks of the  
1912 district and superior courts, the office of the prosecuting attorney, the department of  
1913 transportation, the department of public safety, the department of natural resources and  
1914 parks, the police department of each jurisdiction within which each mapped school or park

1915 is located and the ((division of)) records((, elections)) and licensing services division as the  
1916 custodian of official county records.

1917 SECTION 70. Ordinance 10393, Section 1, as amended, and K.C.C. 12.82.070 are  
1918 each hereby amended to read as follows:

1919 The boundaries of drug-free zones surrounding the following schools as listed in  
1920 Exhibits A - F located within the Catholic Archdiocese are hereby adopted for:

1921 A. John F. Kennedy Memorial High School; ((and)).

1922 B. St. Francis of Assisi Elementary School;

1923 C. St. Bernadette Elementary School((-));

1924 D. Eastside Catholic High School((-));

1925 E. St. Luke School; and

1926 F. Holy Family School.

1927 The maps produced by the county engineer of the location and boundaries of the drug-free  
1928 zones surrounding these schools within the Catholic Archdiocese, as supported by  
1929 Archdiocese endorsement, have been filed with the clerk of the council and are on file with  
1930 the King County department of transportation, road services division and the King County  
1931 department of executive services, records((, elections)) and licensing services division.

1932 SECTION 71. Ordinance 10508, Section 1, as amended, and K.C.C. 12.82.080 are  
1933 each hereby amended to read as follows:

1934 The boundaries of drug-free zones surrounding the following schools as listed in  
1935 Exhibits A - H located within the Federal Way School District are hereby adopted:

1936 A. Camelot Elementary School((-));

1937 B. Lake Dolloff Elementary and Kilo Junior High Schools((-));

- 1938 C. Lakeland Elementary School((-));
- 1939 D. North Lake Elementary School((-));
- 1940 E. Rainier View Elementary School((-));
- 1941 F. Valhalla Elementary School
- 1942 G. Woodmont Elementary School((-); and
- 1943 H. Thomas Jefferson High School.

1944 The maps produced by the county engineer of the location and boundaries of the drug-free  
1945 zones surrounding these schools within the Federal Way School District, as supported by  
1946 the Federal Way School District, are on file with the department of transportation, road  
1947 services division and the department of executive services, records((-elections)) and  
1948 licensing services division.

1949 SECTION 72. Ordinance 10509, Section 1, as amended, and K.C.C. 12.82.090 are  
1950 each hereby amended to read as follows:

1951 The boundaries of drug-free zones surrounding the following schools as listed in  
1952 Exhibits A - N-2 located within the Lake Washington School District are hereby adopted:

- 1953 A. Louisa May Alcott Elementary School((-);
- 1954 B-1 and B-2. Emily Dickinson Elementary and Evergreen Junior High  
1955 Schools((-);
- 1956 C. Robert Frost Elementary School((-);
- 1957 D. Christa McAuliffe Elementary School((-);
- 1958 E. Margaret Mead Elementary School((-);
- 1959 F. John Muir Elementary School((-);
- 1960 G. Carl Sandburg Elementary School((-);

1961 H-1 and H-2. Samantha Smith Elementary School((-));

1962 I. Henry David Thoreau Elementary School((-);

1963 J-1 and J-2. Laura Ingalls Wilder Elementary School((-);

1964 K. Finn Hill Junior High School((-);

1965 L-1, L-2 and L-3. Inglewood Junior High School((-);

1966 M. Kamiakin Junior High School((-); and

1967 N-1 and N-2. Site 86.

1968 The maps produced by the county engineer of the location and boundaries of the drug-free  
1969 zones surrounding these schools within the Lake Washington School District, as supported  
1970 by the Lake Washington School District, are on file with the department of transportation,  
1971 road services division and the department of executive services, records(~~(, and elections)~~)  
1972 and licensing services division.

1973 SECTION 73. Ordinance 10689, Section 1, as amended, and K.C.C. 12.82.100 are  
1974 each hereby amended to read as follows:

1975 The boundaries of drug-free zones surrounding the following schools as listed in  
1976 Exhibits A - Y located within the Kent School District No. 415 are hereby adopted:

1977 A. Carriage Elementary School((-);

1978 B. Cedar Valley Hill Elementary((-);

1979 C. Covington Elementary School((-);

1980 D. Crestwood Elementary School((-);

1981 E. Fairwood Elementary School((-);

1982 F. Grass Lake Elementary School((-);

1983 G. Horizon Elementary School((-);



- 1984 H. Jenkins Creek Elementary School((-));
- 1985 I. Lake Youngs Elementary School((-));
- 1986 J. Martin Sortun Elementary School((-));
- 1987 K. Meridian Elementary School((-));
- 1988 L. Panther Lake Elementary School((-));
- 1989 M. Park Orchard Elementary School((-));
- 1990 N. Pine Tree Elementary School((-));
- 1991 O. Ridgewood Elementary School((-));
- 1992 P. Soos Creek Elementary School((-));
- 1993 Q. Springbrook Elementary School((-));
- 1994 R. Sunrise Elementary School((-));
- 1995 S. Administration Center((-));
- 1996 T. Mattson Junior High School((-));
- 1997 U. Meeker Junior High School((-));
- 1998 V. Meridian Junior High School((-));
- 1999 W. Junior High Site No. 6((-));
- 2000 X. Kentridge Senior High School((-); and
- 2001 Y. Kentwood Senior High School.

2002 The maps produced by the county engineer of the location and boundaries of the drug-free  
2003 zones surrounding these schools within the Kent School District No. 415, as supported by  
2004 Kent School District No. 415, are on file with the department of transportation, road  
2005 services division and the department of executive services, records((-elections)) and  
2006 licensing services division.

2007            SECTION 74. Ordinance 10690, Section 1, as amended, and K.C.C. 12.82.110 are  
2008 each hereby amended to read as follows:

2009            The boundaries of drug-free zones surrounding the following schools as listed in  
2010 Exhibits A - M located within the Renton School District No. 403 are hereby adopted:

- 2011            A. Benson Hill Elementary School~~((-))~~;
- 2012            B. Campbell Hill Elementary School~~((-))~~;
- 2013            C. Cascade Elementary School~~((-))~~;
- 2014            D. Hazelwood Elementary School~~((-))~~;
- 2015            E. Lakeridge Elementary School~~((-))~~;
- 2016            F. Maplewood Heights Elementary School~~((-))~~;
- 2017            G. Renton Park Elementary School~~((-))~~;
- 2018            H. Sierra Heights Elementary School~~((-))~~;
- 2019            I. A. W. Dimmitt Middle School~~((-))~~;
- 2020            J. Lindbergh High School~~((-))~~;
- 2021            K. Renton Alternative School~~((-))~~;
- 2022            L. John A. Thompson School~~((-))~~; and
- 2023            M. Bryn Mawr Elementary School.

2024            The maps produced by the county engineer of the location and boundaries of the drug-free  
2025 zones surrounding these schools within the Renton School District No. 403, as supported  
2026 by Renton School District No. 403, are on file with the department of transportation, road  
2027 services division and the department of executive services, records~~((elections))~~ and  
2028 licensing services division.

2029            SECTION 75. Ordinance 10723, Section 1, as amended, and K.C.C. 12.82.120 are  
2030 each hereby amended to read as follows:

2031            The boundaries of drug-free zones surrounding the following schools as listed in  
2032 Exhibits A - K located within the Issaquah School District No. 411 are hereby adopted:

- 2033            A. Apollo Elementary School((-));
- 2034            B. Briarwood Elementary School((-));
- 2035            C. Cougar Ridge Elementary School((-));
- 2036            D. Challenger Elementary School((-));
- 2037            E. Discovery Elementary School((-));
- 2038            F. Maple Hills Elementary School((-));
- 2039            G. Sunny Hills Elementary School((-));
- 2040            H. Sunset Elementary School((-));
- 2041            I. Maywood Middle School((-);
- 2042            J. Pine Lake Middle School((-); and
- 2043            K. Liberty Senior High School

2044            The maps produced by the county engineer of the location and boundaries of the drug-free  
2045 zones surrounding these schools within the Issaquah School District No. 411, as supported  
2046 by the Issaquah School District No. 411, are on file with the department of transportation,  
2047 road services division and the department of executive services, records((-elections)) and  
2048 licensing services division.

2049            SECTION 76. Ordinance 10724, Section 1, as amended, and K.C.C. 12.82.130 are  
2050 each hereby amended to read as follows:

2051 The boundaries of drug-free zones surrounding the following schools as listed in  
2052 Exhibits A - F located within the Snoqualmie Valley School District No. 410 are hereby  
2053 adopted:

2054 A. Fall City Elementary School((-));

2055 B. North Bend Elementary School((-));

2056 C. Opstad Elementary School((-));

2057 D. Chief Kanim Middle School((-));

2058 E. Snoqualmie Elementary School, Snoqualmie Middle School and Mt. Si Athletic  
2059 Fields((-)); and

2060 F. Mt. Si. Senior High School.

2061 The maps produced by the county engineer of the location and boundaries of the drug-free  
2062 zones surrounding these schools within the Snoqualmie Valley School District No. 410, as  
2063 supported by the Snoqualmie Valley School District No. 410, are on file with the  
2064 department of transportation, road services division and the department of executive  
2065 services((-elections)) and licensing services division.

2066 SECTION 77. Ordinance 10793, Section 1, as amended, and K.C.C. 12.82.140 are  
2067 each hereby amended to read as follows:

2068 The boundaries of drug-free zones surrounding the school as listed in Exhibit "A"  
2069 located within the Enumclaw School District No. 216 are hereby adopted:

2070 A. Westwood Elementary School.

2071 The maps produced by the county engineer of the location and boundaries of the drug-free  
2072 zones surrounding this school within the Enumclaw School District 216, as supported by  
2073 the Enumclaw School District 216, are on file with the department of transportation, road

2074 services division and the department of executive services, records(~~(elections)~~) and  
2075 licensing services division.

2076 SECTION 78. Ordinance 11006, Section 1, as amended, and K.C.C. 12.82.150 are  
2077 each hereby amended to read as follows:

2078 The boundaries of drug-free zones surrounding the following schools as listed in  
2079 Exhibits "A" through "Q" located within the Shoreline School District are hereby adopted:

2080 A. Briarcrest Elementary School and Shorecrest High Schoo(~~(-)~~);

2081 B. Brookside Elementary School(~~(-)~~);

2082 C. Cedarbrook Elementary School(~~(-)~~);

2083 D. Echo Lake Elementary School(~~(-)~~);

2084 E. Highland Terrace Elementary School(~~(-)~~);

2085 F. Park Elementary School(~~(-)~~);

2086 G. Meridian Park Elementary School(~~(-)~~);

2087 H. North City Elementary School(~~(-)~~);

2088 I. Parkwood Elementary School(~~(-)~~);

2089 J. Ridgecrest Elementary School(~~(-)~~);

2090 K. Sunset Elementary School(~~(-)~~);

2091 L. Syre Elementary School(~~(-)~~);

2092 M. Einstein Middle School(~~(-)~~);

2093 N. Kellogg Middle School(~~(-)~~);

2094 O. Shorewood High School(~~(-)~~);

2095 P. Shoreline Center(~~(-)~~); and

2096 Q. Aldercrest Annex.

2097 The maps produced by the county engineer of the location and boundaries of the drug-free  
2098 zones surrounding these schools within the Shoreline School District, as supported by the  
2099 Shoreline School District, are on file with the department of transportation, road services  
2100 division and the department of executive services, records(~~(, elections))~~) and licensing  
2101 services division.

2102 SECTION 79. Ordinance 11040, Section 1, as amended, and K.C.C. 12.82.160 are  
2103 each hereby amended to read as follows:

2104 The boundaries of drug-free zones surrounding the following schools as listed in  
2105 Exhibits "A" through "G" located within the Tahoma School District No. 409 are hereby  
2106 adopted:

- 2107 A. Cedar River Elementary School and Shadow Lake Elementary School(~~(,)~~);
- 2108 B. Glacier Park Elementary School(~~(,)~~);
- 2109 C. Lake Wilderness Elementary School(~~(,)~~);
- 2110 D. Rock Creek Elementary School and Central Services Center(~~(,)~~);
- 2111 E. Maple Valley High School and Maintenance and Transportation Center(~~(,)~~);
- 2112 F. Tahoma Junior High School(~~(,)~~); and
- 2113 G. Tahoma Senior High School.

2114 The maps produced by the county engineer of the location and boundaries of the drug-free  
2115 zones surrounding these schools within the Tahoma School District No. 409, as supported  
2116 by the Tahoma School District No. 409, are on file with the department of transportation,  
2117 road services division and the department of executive services, records(~~(, elections))~~) and  
2118 licensing services division.

2119            SECTION 80. Ordinance 11080, Section 1, as amended, and K.C.C. 12.82.180 are  
2120 each hereby amended to read as follows:

2121            The boundaries of drug-free zones surrounding the following schools as listed in  
2122 Exhibits "A" through "E" located within the Riverview School District No. 407 are hereby  
2123 adopted:

- 2124            A. Carnation Elementary School((-));
- 2125            B. Cherry Valley Elementary School((-));
- 2126            C. Stillwater Elementary School((-));
- 2127            D. Tolt Middle School((-); and
- 2128            E. Cedarcrest High School.

2129            The maps produced by the county engineer of the location and boundaries of the  
2130 drug-free zones surrounding these schools within the Riverview School District No. 407, as  
2131 supported by the Riverview School District, are on file with the department of  
2132 transportation, road services division and the department of executive services, records((-  
2133 elections)) and licensing services division.

2134            SECTION 81. Ordinance 11979, Section 1, as amended, and K.C.C. 12.82.190 are  
2135 each hereby amended to read as follows:

2136            The boundaries of drug-free zones surrounding the following schools as listed in  
2137 Exhibits "A" through "C" located within the Vashon School District No. 402 are hereby  
2138 adopted:

- 2139            A. Burton Elementary School((-));
- 2140            B. Vashon School District No. 402 - Central Campus((-); and
- 2141            C. Vashon Elementary School.

2142           The maps produced by the county engineer of the location and boundaries of the  
2143 drug-free zones surrounding these schools within the Vashon School District No. 402, as  
2144 supported by the Vashon School District No. 402, are on file with the department of public  
2145 works, roads and engineering division and the department of executive administration,  
2146 records(~~(, elections)~~) and licensing services division.

2147           SECTION 82. Ordinance 11991, Section 1, as amended, and K.C.C. 12.82.200 are  
2148 each hereby amended to read as follows:

2149           The boundaries of a drug-free zone surrounding the Snoqualmie Valley Christian  
2150 School as shown in Exhibit "A" is hereby adopted.

2151           The map produced by the county engineer of the location and boundaries of the  
2152 drug-free zone surrounding this school, as supported by the board of directors of the  
2153 Snoqualmie Valley Christian School, is on file with the department of transportation, road  
2154 services division and the King County department of executive services, records(~~(, elections)~~)  
2155 and licensing services division.

2156           SECTION 83. Ordinance 11071, Section 1, as amended, and K.C.C. 12.82.400 are  
2157 each hereby amended to read as follows:

2158           The boundaries of drug-free zones surrounding the following parks as listed in  
2159 Exhibits "A" through "U" located within King County are hereby adopted:

- 2160           A. Hamlin Park(~~(-)~~);
- 2161           B. Richmond Beach Park(~~(-)~~);
- 2162           C. Big Finn Hill Park(~~(-)~~);
- 2163           D. White Center Park(~~(-)~~);
- 2164           E. Lakewood Park(~~(-)~~);



- 2165 F. Salmon Creek Park((-));
- 2166 G. Puget Sound Junior High Park((-));
- 2167 H. Skyway Park((-));
- 2168 I. Lake Geneva Park((-));
- 2169 J. Lake Meridian Park((-));
- 2170 K. Springwood Park((-));
- 2171 L. Lake Wilderness((-));
- 2172 M. O.O. Denny((-));
- 2173 N. Juanita Beach((-));
- 2174 O. Pine Lake((-));
- 2175 P. Beaver Lake((-));
- 2176 Q. Fort Dent((-));
- 2177 R. Tracy Owen Station((-));
- 2178 S. Petrovitsky((-));
- 2179 T. Richmond Highlands; and
- 2180 U. Si View.

2181 Copies of the county assessor's maps reproduced by the parks and recreation  
2182 division which depict the location and boundaries of the drug-free zones surrounding these  
2183 parks within King County, are on file with the parks and recreation division, and the  
2184 department of executive services, records((-elections)) and licensing services division.

2185 SECTION 84. Ordinance 7444, Section 5, as amended, and K.C.C. 15.90.050 are  
2186 each hereby amended to read as follows:

2187           The charter of the authority, Exhibit A of Ordinance 7444, is hereby approved. The  
2188 charter shall be issued in duplicate originals, each bearing the county seal attested by the  
2189 council clerk. One original shall be recorded with the records(~~(, elections))~~) and licensing  
2190 services division, or its successor agency; a duplicate original shall be provided to the  
2191 authority. The charter shall be amended only by county ordinance adopted at or after a  
2192 public hearing held with notice to the public authority and authority directors and affording  
2193 them a reasonable opportunity to be heard and present testimony.

2194           SECTION 85. Ordinance 13694, Section 40, and K.C.C. 19A.08.050 are each  
2195 hereby amended to read as follows:

2196           The final recording map and legal description of a plat, short plat, boundary line  
2197 adjustment or binding site plan shall be prepared by a land surveyor in accordance with  
2198 chapter 58.09 RCW and chapter 332-130 WAC, Surveys and Recording, and be recorded  
2199 with the (~~county office of~~) records and (~~elections~~) licensing services division as  
2200 required by this title.

2201           SECTION 86. Ordinance 13694, Section 47, as amended, and K.C.C. 19A.08.120  
2202 are each hereby amended to read as follows:

2203           A. Any map page or document recorded with the records and (~~elections~~)  
2204 licensing services division, or its successor agency, under the provisions of this title that  
2205 contains an error in fact or omission may be amended by an affidavit of correction. The  
2206 following types of errors may be corrected by affidavit:

- 2207           1. Any courses, distances or elevations omitted from the recorded document;
- 2208           2. An error in any courses, distances or elevations shown on the recorded  
2209 document;

- 2210           3. An error in the description of the real property shown on the recorded  
2211 document;
- 2212           4. An error in the field location of any shown easement; or
- 2213           5. Any other error or omission where the error or omission is ascertainable from  
2214 the data shown on the recorded document.

2215           B. Nothing in this section shall be construed to permit changes in courses,  
2216 distances or elevations for the purpose of redesigning lot or tract configurations.

2217           C. The affidavit of correction shall contain the seal and signature of the land  
2218 surveyor making the correction.

2219           D. The affidavit of correction shall set forth in detail the corrections made and  
2220 show the names of the present fee owners of the property materially affected by the  
2221 correction. The notarized signatures of the owners shall be required, if deemed necessary  
2222 by the department.

2223           E. The affidavit of correction form, as provided by the department, shall be  
2224 submitted to the department for review and approval and shall include signatures of the  
2225 development engineer, the director of the department, the ((King County)) assessor and the  
2226 manager of the ((King County)) records and ((elections)) licensing services division, or its  
2227 successor agency. After department approval, the affidavit shall be recorded with the  
2228 records and ((elections)) licensing services division, or its successor agency. Submittals  
2229 shall include payment of fees as authorized by K.C.C. Title 27.

2230           F. Should a nonsurvey-related error occur on the recorded document as a result of  
2231 information required to be placed on the document by the department, the department's  
2232 responsible land surveyor may prepare the affidavit providing the original land surveyor

2233 has no objections. The seal and signature of the department's responsible land surveyor  
2234 making the correction shall be affixed to the affidavit. A copy of the affidavit shall be  
2235 mailed by the department to the original land surveyor following recording.

2236 SECTION 87. Ordinance 13694, Section 63, and K.C.C. 19A.16.030 are each  
2237 hereby amended to read as follows:

2238 A. Following submittal of the engineering plans, a final plat or final short plat shall  
2239 be surveyed by a land surveyor and submitted to the department for review and approval by  
2240 the development engineer prior to recording. If more than one sheet is required, an index  
2241 sheet shall be included that must show the entire segregation with road names and lot  
2242 numbers;

2243 B. All final plats and final short plats shall conform to the conditions of  
2244 preliminary approval;

2245 C. Plat certificates or owner's duplicate certificates for land registered pursuant to  
2246 chapter 65.12 RCW shall be provided to the department prior to recording along with a  
2247 copy of the last real estate transaction for all adjoining unplatted parcels. Supplemental plat  
2248 certificates shall be provided to the department if the final plat or final short plat is not  
2249 recorded within thirty days of the original certificate or supplemental certificate date;

2250 D. All applicable processing fees specified by K.C.C. Title 27 and any civil penalty  
2251 assessed pursuant to K.C.C. Title 23 against a site being reviewed under this section shall  
2252 be paid prior to recording;

2253 E. A deposit to cover anticipated taxes and assessments is required for final plats  
2254 pursuant to chapter 58.08 RCW. A deposit, however, shall not be required for the filing of  
2255 a final short plat. The applicant shall also provide certification from the King County

2256 ((office of)) finance and business operations division that property taxes for the subject  
2257 property are not delinquent prior to the issuance of a final approval;

2258 F. Proof of sewer and water availability, including any required water rights, shall  
2259 be submitted to the department and final health department approval shall be obtained prior  
2260 to recording, if applicable;

2261 G. Upon approval by the department, the final plat or short plat shall be recorded  
2262 with the ((county)) records and ((elections)) licensing services division; and

2263 H. A typewritten copy of protective deed covenants shall accompany the final  
2264 plat or short plat, if applicable.

2265 SECTION 88. Ordinance 13694, Section 65, and K.C.C. 19A.16.050 are each  
2266 hereby amended to read as follows:

2267 The following information shall be shown on a final plat or final short plat:

2268 A. Name of subdivision and department file number for final plats or department  
2269 file number for final short plats;

2270 B. Location by section, township and range, and by legal description;

2271 C. The signature and seal of the land surveyor;

2272 D. Survey map requirements as specified in chapter 332-130 WAC and chapter  
2273 58.09 RCW;

2274 E. Boundary of plat or short plat based on relative accuracy procedures or field  
2275 traverse standards, and meeting or exceeding those standards specified in WAC 332-130-  
2276 090;

2277 F. Exact location, width and name of all streets within and adjoining the plat or  
2278 short plat, and the exact location and widths of all alleys. The naming of a street shall  
2279 conform to the county's process for naming streets;

2280 G. Courses and distances to the nearest established street lines or official  
2281 monuments that shall accurately describe the location of the plat or short plat;

2282 H. Municipal, township, county or section lines accurately tied to the lines of the  
2283 plat or short plat distances and courses;

2284 I. All easements for rights-of-way provided for public utilities;

2285 J. Lots designated by number on the plat or short plat within the area of the lot, and  
2286 tracts similarly designated by letter. Each tract shall be clearly identified with the  
2287 ownership, purpose and maintenance responsibility;

2288 K. Blocks in numbered additions to plats bearing the same name may be numbered  
2289 or lettered consecutively through the several additions;

2290 L. Accurate location of all existing and proposed permanent control monuments at  
2291 each corner of the subdivision or short subdivision consistent with RCW 58.17.240 and at  
2292 all road intersections and curve control points that fall within the pavement;

2293 M. A traverse line established along the shore not more than twenty feet landward  
2294 of the ordinary high water mark when a subdivision or short subdivision borders on a body  
2295 of water. This line shall be labeled "Plat traverse line" or "Short plat traverse line", as  
2296 applicable, on the final plat or short plat documents;

2297 N. Accurate boundary delineation for any areas to be dedicated or reserved for  
2298 public use, along with the purposes of the use indicated thereon; and the accurate

2299 delineation of any areas to be reserved by deed covenant for common uses of all property  
2300 owners;

2301 O. The boundary description of the property being platted or short platted matching  
2302 the description recorded in the most recent real estate transfer document encompassing the  
2303 property. If the description is incorrect, a true and exact description shall be shown upon  
2304 the plat or short plat together with the original description. The original description shall be  
2305 labeled "original description" and the true and exact description shall be labeled "surveyor's  
2306 corrected description." The surveyor's corrected description shall be preceded by the  
2307 verbiage: "The intent of the original description is to encompass all of the property  
2308 described within the surveyor's corrected description";

2309 P. Dedication with notarized acknowledgments by all parties having an ownership  
2310 interest, as required by RCW 58.17.165 and K.C.C. ((19A.08.010)) 19A.04.230,  
2311 acknowledging the adoption of the plat and the dedication of streets and other public areas.  
2312 Dedications by corporations shall include corporate acknowledgment and dedications by  
2313 individuals shall include individual acknowledgment;

2314 Q. Restrictions, title encumbrances and notes required by the conditions of  
2315 approval;

2316 R. Certification by a land surveyor to the effect that the plat or short plat correctly  
2317 represents a survey made by the surveyor, or under the surveyor's direction, and that the  
2318 existing monuments are located as shown on the final plat or final short plat;

2319 S. Approval and signature blocks for the department, the department of  
2320 assessments and the finance and business operations division;

2321 T. Approval of the county council to the extent such approval is required; and

2322 U. Recording certificate required for the signature of the ((King County)) records  
2323 and ((elections)) licensing services division.

2324 SECTION 89. Ordinance 13694, Section 75, and K.C.C. 19A.20.060 are each  
2325 hereby amended to read as follows:

2326 A. Plat certificates or owner's duplicate certificates for registered land pursuant to  
2327 chapter 65.12 RCW shall be provided to the department by the owner along with a copy of  
2328 the last real estate transaction for all adjoining unplatted parcels.

2329 B. Prior to recording, the approved binding site plan shall be surveyed and the final  
2330 recording forms shall be prepared by a land surveyor. A final binding site plan shall be  
2331 prepared on forms eighteen inches by twenty-four inches in size, allowing for a two-inch  
2332 border on one of the eighteen-inch sides, to allow for binding, and one-half-inch borders on  
2333 the other three sides. The two-inch border will typically be on the top or left side  
2334 depending on the configuration of the drawing.

2335 C. The approved binding site plan recording documents shall include the  
2336 following:

2337 1. Except for a binding site plan for a condominium, identification of lots by  
2338 number on a binding site plan containing more than one lot. Tracts shall be similarly  
2339 designated and each tract shall be clearly identified with the ownership and purpose;

2340 2. Signature and stamp of the land surveyor who prepared the binding site plan in  
2341 accordance with chapter 332-130 WAC and chapter 58.09 RCW;

2342 3. Reference to the recording number of the completed survey if the boundaries  
2343 have been previously surveyed;

2344 4. Reference to all agreements or covenants required as a condition of approval;



2345           5. Notarized signatures of all parties having an ownership interest in the land  
2346 being divided;

2347           6. Satisfaction of health department requirements, unless previously approved on  
2348 a recorded final planned unit development, a building permit, an as-built plan for developed  
2349 sites or a site development permit for the entire site;

2350           7. Approval of the King County development engineer;

2351           8. Approval of the King County (~~office of~~) finance and business operations  
2352 division;

2353           9. Approval of the King County assessor;

2354           10. Approval of the director;

2355           11. Recording certificate required for signature of (~~King County~~) the records  
2356 and (~~elections~~) licensing services division; and

2357           12. Department file number.

2358           D. A deposit to cover anticipated taxes and assessments is required for binding site  
2359 plans pursuant to chapter 58.08 RCW. The applicant shall be required to provide  
2360 certification from the King County (~~office of~~) finance and business operations division  
2361 that property taxes for the subject property are not delinquent prior to issuance of a final  
2362 approval.

2363           E. Lots, parcels or tracts created through the binding site plan procedure shall be  
2364 legal lots of record. All provisions, conditions and requirements of the binding site plan  
2365 shall be legally enforceable on the purchaser or any other person acquiring a lease or other  
2366 ownership interest of any lot, parcel, or tract created pursuant to the binding site plan.

2367 F No person shall sell, transfer or lease of any lot, tract or parcel created pursuant  
2368 to the binding site plan that does not conform to the requirements of the binding site plan or  
2369 without binding site plan approval.

2370 G. The binding site plan shall set forth limitations and conditions, including  
2371 irrevocable dedications of property and containing a provision that any development of  
2372 the site shall be in conformity with the approved binding site plan.

2373 SECTION 90. Ordinance 15137, Section 1, and K.C.C. 20.36.015 are each hereby  
2374 amended to read as follows:

2375 The definitions in this section apply throughout this chapter unless the context  
2376 clearly requires otherwise.

2377 A. "Certified local government programs" are those historic preservation  
2378 programs that are formally certified by the National Park Service and Washington state  
2379 Office of Archaeology and Historic Preservation.

2380 B. "Department" means the department of natural resources and parks or  
2381 successor agency.

2382 C. "Enrolled parcel" means a parcel for which a public benefit rating system open  
2383 space application has been received, that is receiving tax reduction benefits and for which  
2384 an open space taxation agreement, as described in WAC 458.30.240, has been executed  
2385 and recorded with the records(~~(, elections))~~) and licensing services division.

2386 D. "Native plant" or "native vegetation" means native vegetation as defined in  
2387 K.C.C. 21A.06.790.

2388 E. "Reevaluate" means to examine the characteristics of a property currently  
2389 designated under current use taxation provisions of the open space program for  
2390 qualification under the current public benefit rating system provided for in this chapter.

2391 SECTION 91. Ordinance 10511, Section 7, as amended, and K.C.C. 20.36.100 are  
2392 each hereby amended to read as follows:

2393 To be eligible for open space classification under the public benefit rating system,  
2394 property must contain one or more qualifying open space resources and have at least five  
2395 points as determined under this section. These resources are based on the adopted King  
2396 County Open Space Plan referenced in K.C.C. 20.12.380. The department shall review  
2397 each application and recommend award of credit for current use of property that is the  
2398 subject of the application. In making such a recommendation, the department shall utilize  
2399 the point system described in subsections A. and B. of this section.

2400 A. The following open space resources are each eligible for the points indicated:

2401 1. Active or passive recreation area - five points. For the purposes of this  
2402 subsection A.1, "active or passive recreation area" means land devoted to providing  
2403 nonmotorized active or passive recreation use or that complements or substitutes for  
2404 recreation facilities characteristically provided by public agencies. To be eligible as an  
2405 active or passive recreation area, the facilities must be open to the general public or to  
2406 specific public user groups, such as youth, senior citizens or people with disabilities. A  
2407 property must be identified by the responsible agency within whose jurisdiction the  
2408 property is located, as meeting the definition of an active or passive recreation area.  
2409 Enrolling property must adhere to best management practices or standards, as defined in

2410 K.C.C. 21A.06.098, where available. If a fee is charged for use, it must be comparable to  
2411 the fee charged by a like public facility;

2412         2. Aquifer protection area - five points. For the purposes of this subsection A.2,  
2413 "aquifer protection area" means property that has a plant community in which native plants  
2414 are dominant and that is located within an area designated as a critical aquifer recharge area  
2415 under K.C.C. chapter 21A.24. To be eligible as an aquifer protection area, at least fifty  
2416 percent of the enrolling open space area or a minimum of one acre of open space shall be  
2417 designated as a critical aquifer recharge area. The enrolling open space area must have a  
2418 plant community in which native plants are dominant, or a plan for revegetation must be  
2419 submitted and approved by the department, and be implemented according to its proposed  
2420 schedule of activities;

2421         3. Buffer to public land - three points. For the purposes of this subsection A.3,  
2422 "buffer to public land" means land that has a plant community in which native plants are  
2423 dominant and that is adjacent and provides a buffer to a publicly owned park, forest,  
2424 wildlife preserve, natural preserve, sanctuary, parkway, trail, highway, designated  
2425 greenway or is adjacent and provides a buffer to a property participating in a current use  
2426 taxation program under chapter 84.34 RCW. The buffer shall be no less than fifty feet in  
2427 length and fifty feet in width. Public roads may separate the public land, or land in private  
2428 ownership classified under chapter 84.34 RCW, from the buffering land, if the entire buffer  
2429 is at least as wide and long as the adjacent section of the road easement. Landscaping or  
2430 other nonnative vegetation shall not separate the public land or land enrolled under chapter  
2431 84.34 RCW from the native vegetation buffer. The department may grant an exception to  
2432 the native vegetation requirement for property along parkways with historic designation,

2433 upon review and recommendation of the historic preservation officer of King County or the  
2434 local jurisdiction in which the property is located. Eligibility for this exception does not  
2435 extend to a property where plantings are required or existing plant communities are  
2436 protected under local zoning codes, development mitigation requirements or other local  
2437 regulations;

2438 4. Equestrian-pedestrian trail linkage - thirty-five points. For the purposes of this  
2439 subsection A.4, "equestrian-pedestrian trail linkage" means land in private ownership that  
2440 the property owner allows the public to use as an off-road trail linkage for equestrian,  
2441 pedestrian or other nonmotorized uses or that provides a trail link from a public right of  
2442 way to a trail system. Use of motorized vehicles is prohibited on trails receiving tax  
2443 reductions in this category, except for maintenance or for medical, public safety or police  
2444 emergencies. Public access is required only on that portion of the property containing the  
2445 trail. The landowner may impose reasonable restrictions on access that are mutually agreed  
2446 to by the landowner and the department, such as limiting use to daylight hours. To be  
2447 eligible as an equestrian-pedestrian trail linkage, the owner shall provide a trail easement to  
2448 an appropriate public or private entity, acceptable to the department. The easement shall be  
2449 recorded with the records(~~(elections)~~) and licensing services division. In addition to the  
2450 area covered by the trail easement, adjacent land used as pasture, barn or stable area and  
2451 any corral or paddock may be included, if an approved and implemented farm management  
2452 plan is provided. Land necessary to provide a buffer from the trail to other nonequestrian  
2453 uses, land that contributes to the aesthetics of the trail, such as a forest, and land set aside  
2454 and marked for off road parking for trail users may also be included as lands eligible for  
2455 current use taxation. Private roads or driveways open to the public for this purpose may

2456 also qualify. Driveways and sidewalks, used primarily by the landowner, do not qualify  
2457 under this category. Fencing and gates are not allowed in the trail easement area, except  
2458 those that are parallel to the trail or linkage;

2459           5. Farm and agricultural conservation land - five points. For the purposes of this  
2460 subsection A.5, "farm and agricultural conservation land" means land previously classified  
2461 as farm and agricultural land under RCW 84.34.020 that no longer meets the criteria of  
2462 farm and agricultural land, or traditional farmland not classified under chapter 84.34 RCW  
2463 that has not been irrevocably devoted to a use inconsistent with agricultural uses and has a  
2464 high potential for returning to commercial agriculture. To be eligible as farm and  
2465 agricultural conservation land, the property must be used for farm and agricultural activities  
2466 or have a high probability of returning to agriculture and the property owner must commit  
2467 to return the property to farm or agricultural activities. An applicant must have a  
2468 department-approved farm management plan in accordance with K.C.C. 21A.24.051 that is  
2469 being implemented according to its proposed schedule of activities prior to receiving credit  
2470 for this category. The property must be at least five acres in size; or greater than two acres  
2471 and be actively farmed on more than seventy-five percent of the property. Eligible land  
2472 must be zoned to allow agricultural uses. Combining separate parcels under different  
2473 owners is not allowed under this category;

2474           6. Forest stewardship land - five points. For the purposes of this subsection A.6,  
2475 "forest stewardship land" means property that is managed according to an approved forest  
2476 stewardship plan and that is not enrolled in the timberland program under chapter 84.34  
2477 RCW or the forestland program under chapter 84.33 RCW. To be eligible as forest  
2478 stewardship land, the property must contain at least four acres of contiguous forestland,

2479 which may include land undergoing reforestation, according to the approved plan. An  
2480 applicant shall have and implement a forest stewardship plan approved by the department.  
2481 The forest stewardship plan may emphasize forest retention, harvesting or a combination of  
2482 both;

2483           7. Historic landmark or archeological site: buffer to a designated site - three  
2484 points. For the purposes of this subsection A.7, "historic landmark or archaeological site:  
2485 buffer to a designated site" means property adjacent to land constituting or containing a  
2486 designated county or local historic landmark or archeological site, as determined by the  
2487 historic preservation officer of King County or other jurisdiction in which the property is  
2488 located that manages a certified local government program. To be eligible as a historic  
2489 landmark or archeological site: buffer to a designated site, a property must have a plant  
2490 community in which native plants are dominant and be adjacent to or in the immediate  
2491 vicinity of and provide a significant buffer for a designated landmark or archaeological site  
2492 listed on the county or other certified local government list or register of historic places or  
2493 landmarks. For the purposes of this subsection A.7, "significant buffer" means land and  
2494 plant communities that provide physical, visual, noise or other barriers and separation from  
2495 adverse effects to the historic resources due to adjacent land use;

2496           8. Historic landmark or archeological site: designated site - five points. For the  
2497 purposes of this subsection A.8, "historic landmark or archaeological site: designated site"  
2498 means land that constitutes or upon which is situated a historic landmark formally  
2499 designated by King County or other certified local government program. Historic  
2500 landmarks include buildings, structures, districts or sites of significance in the county's  
2501 historic or prehistoric heritage, such as Native American settlements, trails, pioneer

2502 settlements, farmsteads, roads, industrial works, bridges, burial sites, prehistoric and  
2503 historic archaeological sites or traditional cultural properties. To be eligible as a historic  
2504 landmark or archeological site: designated site, a property must be listed on a county or  
2505 other certified local government list or register of historic places or landmarks for which  
2506 there is local regulatory protection. Eligible property may include property that contributes  
2507 to the historic character within designated historic districts, as defined by the historic  
2508 preservation officer of King County or other certified local government jurisdiction. The  
2509 King County historic preservation officer shall make the determination on eligibility;

2510 9. Historic landmark or archeological site: eligible site - three points. For the  
2511 purposes of this subsection A.9, "historic landmark or archaeological site: eligible site"  
2512 means land that constitutes or upon which is situated a historic property that has the  
2513 potential of being formally designated by a certified local government jurisdiction,  
2514 including buildings, structures, districts or sites of significance in the county's historic or  
2515 prehistoric heritage, such as Native American settlements, pioneer settlements, farmsteads,  
2516 roads, industrial works, bridges, burial sites, prehistoric and historic archaeological sites or  
2517 traditional cultural properties. An eligible property must be determined by the historic  
2518 preservation officer of King County or other certified local government program in the  
2519 jurisdiction in which the property is located to be eligible for designation and listing on the  
2520 county or other local register of historic places or landmarks for which there is local  
2521 regulatory protection. Eligible property may include contributing property within  
2522 designated historic districts. Property listed on the state or national Registers of Historic  
2523 Places may qualify under this category;



2524 10. Rural open space - five points. For the purposes of this subsection A.10,  
2525 "rural open space" means an area of ten or more contiguous acres that has a plant  
2526 community in which native plants are dominant and that is located outside of the urban  
2527 growth area as identified in the King County Comprehensive Plan, except that an eligible  
2528 site may include former open farmland, woodlots, scrublands or other lands that are in the  
2529 process of being replanted with native vegetation;

2530 11. Rural stewardship land-five points. For the purposes of this subsection A.11,  
2531 "rural stewardship land" means lands zoned RA (rural area), A (agriculture) or F (forest),  
2532 that has a department-approved and implemented rural stewardship plan as provided in  
2533 K.C.C. chapter 21A.24. On RA-zoned property, the approved rural stewardship plan shall  
2534 meet the goals and standards of K.C.C. 21A.24.055. For A- and F-zoned properties, credit  
2535 for this category is allowed if the plan meets the goals of K.C.C. 21A.24.055 D. through G.  
2536 A rural stewardship plan includes, but is not limited to, identification of critical areas,  
2537 location of structures and significant features, site-specific best management practices, a  
2538 schedule for implementation and a plan for monitoring as provided in K.C.C. 21A.24.055.  
2539 To be eligible as rural stewardship land, the open space must be at least one acre and  
2540 feature a plant community in which native plants are dominant or be in the process of  
2541 restoration, reforestation or enhancement of native vegetation. Lands receiving credit for  
2542 this category shall not receive credit for the resource restoration or the forest stewardship  
2543 land public benefit rating system categories;

2544 12. Scenic resource, viewpoint or view corridor - five points. For the purposes of  
2545 this subsection A.12, "scenic resource" means an area of ten or more enrolling acres of  
2546 natural or recognized cultural features visually significant to the aesthetic character of the

2547 county. A site eligible as a scenic resource must be significant to the identity of the local  
2548 area and must be visible to a significant number of the general public from public rights-of-  
2549 way, must be of sufficient size to substantially preserve the scenic resource value and must  
2550 enroll at least ten acres of open space. For the purposes of this subsection A.12, a  
2551 "viewpoint" means a property that provides a view of an area visually significant to the  
2552 aesthetic character of the county. To be eligible as a viewpoint, a site must provide a view  
2553 of a scenic natural or recognized cultural resource in King County or other visually  
2554 significant area and must allow unlimited public access, and be identified by a permanent  
2555 sign readily visible from a road or other public right-of-way. For the purposes of this  
2556 subsection A.12, a "view corridor" means a property that contributes to the aesthetics of a  
2557 recognized view corridor critical to maintaining a public view of a visually significant  
2558 scenic natural or recognized cultural resource. A site eligible as a view corridor must  
2559 contain at least one acre of open space that contributes to a view corridor visible to the  
2560 public that provides views of a scenic natural resource area significant to the local area.  
2561 Recognized cultural areas must be found significant by the King County historic  
2562 preservation officer or equivalent officer of another certified local government program and  
2563 must contain significant inventoried or designated historic properties. Eligibility is subject  
2564 to determination by the department or applicable jurisdiction;

2565 13. Shoreline: conservancy environment - five points. For the purposes of this  
2566 subsection A.13, "shoreline: conservancy environment" means marine, lake and river  
2567 shoreline and associated wetlands designated as a conservancy environment in an adopted  
2568 shoreline master plan under chapter 90.58 RCW, the Shoreline Management Act of 1971.  
2569 To be eligible as shoreline: conservancy environment, the property enrolling must feature a

2570 plant community in which native plants are dominant, adjacent to the water for a length of  
2571 more than twenty-five feet, and provide additional buffer width. The buffer width must be  
2572 at least twenty-five percent greater than the buffer required by regulation. Credit for this  
2573 category cannot overlap with credit for the shoreline natural environment category;

2574 14. Shoreline: natural environment - three points. For the purposes of this  
2575 subsection A.14, "shoreline: natural environment" means marine, lake or river shoreline  
2576 and its associated wetlands designated as a natural environment in an adopted shoreline  
2577 master plan under chapter 90.58 RCW, the Shoreline Management Act of 1971. To be  
2578 eligible as shoreline: natural environment, the property enrolling must feature a plant  
2579 community in which native plants are dominant, adjacent to the water and be greater than  
2580 twenty-five feet in length, and provide additional buffer width. The buffer width must be at  
2581 least twenty-five percent greater than the buffer required by regulation. Credit for this  
2582 resource cannot overlap with credit for the shoreline conservancy environment category;

2583 15. Significant plant site - five points. For the purposes of this subsection A.15,  
2584 "significant plant site" means: an area with naturally occurring concentrations of those  
2585 plants defined as being monitor species and meeting the criteria for native plant  
2586 communities by the Washington state Department of Natural Resources as of the effective  
2587 date of this ordinance; or an old growth forest stand at least ten acres in size. An eligible  
2588 site must be listed in the Natural Heritage Data Base as of the effective date of this  
2589 ordinance, or be identified by an expert acceptable to the department confirming that  
2590 qualified species are present on the property. Commercial nurseries, arboretums or other  
2591 maintained garden sites with native or nonnative plantings are ineligible for this category;

2592 16. Significant wildlife or salmonid habitat - five points.

2593 a. For the purposes of this subsection A.16, "significant wildlife or salmonid  
2594 habitat" means:

2595 (1) an area used by animal species listed as endangered, threatened, sensitive or  
2596 candidate by the Washington state Department of Fish and Wildlife or Department of  
2597 Natural Resources as of the effective date of this ordinance, or used by species of local  
2598 significance that are so listed by the King County Comprehensive Plan or a local  
2599 jurisdiction;

2600 (2) an area where the species listed in subsection A.16.a.(1). of this section are  
2601 potentially found with sufficient frequency for critical ecological processes to occur such as  
2602 reproduction, nesting, rearing, wintering, feeding or resting;

2603 (3) a site that meets the criteria for priority habitats as defined by the  
2604 Washington state Department of Fish and Wildlife that is so listed by the King County  
2605 Comprehensive Plan or the local jurisdiction in which the property is located; or

2606 (4) a site that meets criteria for a wildlife habitat conservation area as defined  
2607 by the department or a local jurisdiction.

2608 b. To be eligible as significant wildlife or salmonid habitat, the property must be  
2609 verified by the department, or by expert determination acceptable to the department that  
2610 qualified species are present or that the land fulfills the functions described in subsection  
2611 A.16.a. of this section. To receive credit for salmonid habitat, the owner must provide a  
2612 buffer at least fifteen percent greater in width than required by any applicable regulation.  
2613 Property consisting mainly of disturbed or fragmented open space determined by the  
2614 department as having minimal wildlife habitat significance is ineligible for this category;

2615           17. Special animal site - three points. For the purposes of this subsection A.17,  
2616 "special animal site" means a site that includes a wildlife habitat network identified by the  
2617 King County Comprehensive Plan or individual jurisdictions through the Growth  
2618 Management Act, chapter 36.70A RCW, or urban natural area as identified by the  
2619 Washington state Department of Fish and Wildlife's priority habitats and species project as  
2620 of the effective date of this ordinance. To be eligible as a special animal site, the property  
2621 must be identified by King County or local or state jurisdiction or where expert verification  
2622 acceptable to the department or local jurisdiction is provided. Property consisting mainly  
2623 of disturbed or fragmented open space determined by the department to have minimal  
2624 wildlife habitat significance is ineligible for this category;

2625           18. Surface water quality buffer - five points. For the purposes of this subsection  
2626 A.18, "surface water quality buffer" means an undisturbed area that has a plant community  
2627 in which native plants are dominant adjacent to a lake, pond, stream, wetland or marine  
2628 waters, that provides buffers beyond that required by any applicable regulation. To be  
2629 eligible as surface water quality buffer, the buffer must be at least fifty percent wider than  
2630 the buffer required by any applicable regulation and longer than twenty-five feet. The  
2631 qualifying buffer area must be preserved from clearing and intrusion by domestic animals  
2632 and protected from grazing or use by livestock;

2633           19. Urban open space - five points.

2634           a. For the purposes of this subsection A.19, "urban open space" means land  
2635 located within the boundaries of a city or within the urban growth area that has a plant  
2636 community in which native plants are dominant and that under the applicable zoning is  
2637 eligible for more intensive development or use. To be eligible as urban open space, the

2638 enrolling area must be at least one acre, or be at least one-half acre if the land meets one of  
2639 the following criteria:

- 2640 (1) the land conserves and enhances natural or scenic resources;
- 2641 (2) the land protects streams or water supply;
- 2642 (3) the land promotes conservation of soils, wetlands, beaches or tidal  
2643 marshes;
- 2644 (4) the land enhances the value to the public of abutting or neighboring parks,  
2645 forests, wildlife preserves, nature reservations or sanctuaries or other open space;
- 2646 (5) the land enhances recreation opportunities to the general public; or
- 2647 (6) the land preserves visual quality along highways, roads, and streets or  
2648 scenic vistas.

2649 b. Owners of noncontiguous properties that together meet the minimum  
2650 acreage requirement of subsection A. 19. a. of this section may jointly apply under this  
2651 category if each property is closer than seventy-five feet to one other property in the  
2652 application and if each property contains an enrolling open space area at least as large as  
2653 the minimum zoned lot size; and

2654 20. Watershed protection area - five points. For the purposes of this subsection  
2655 A.20, "watershed protection area" means property in a watershed contributing to the forest  
2656 cover that provides run-off reduction and groundwater protection. To be eligible as  
2657 watershed protection area, the property must consist of contiguous native forest or be in the  
2658 process of reforestation. The enrolling forested area must consist of an additional fifteen  
2659 percent of forest cover beyond that required by county or applicable local government  
2660 regulation and must be at least one acre or twenty-five percent of the property acreage,

2661 whichever is greater. If reforestation or improvements to the forest health are necessary,  
2662 the property owner shall provide and implement a department-approved forest stewardship  
2663 or rural stewardship plan.

2664 B. Property qualifying for an open space category in subsection A. of this section  
2665 may receive credit for additional points as follows:

2666 1. Resource restoration - five points. For the purposes of this subsection B.1,  
2667 "resource restoration" means restoration of an enrolling area benefiting an area in an open  
2668 space resource category. Emphasis shall be placed on restoration of anadromous fish  
2669 rearing habitat, riparian zones, migration corridors and wildlife, upland, stream and wetland  
2670 habitats. To be eligible as resource restoration, the owner must provide and implement a  
2671 department-approved restoration plan developed in cooperation with the Soil Conservation  
2672 Service, the state Department of Fisheries and Wildlife, King County or other appropriate  
2673 local or county agency. Historic resource restoration must be approved by the King County  
2674 historic preservation officer or officer of another certified local government and must be  
2675 accompanied by a long-term maintenance plan. For resource restoration credit, the owner  
2676 shall provide to the department a yearly monitoring report for at least five years following  
2677 enrollment in the public benefit rating system program. The report shall describe the  
2678 progress and success of the restoration project and shall include photographs to document  
2679 the success. Credit for this category cannot overlap with credit for the forest stewardship  
2680 land category or the rural stewardship land category. If a property owner implements an  
2681 approved restoration plan after enrolling in the public benefit rating system program and  
2682 did not receive credit for the restoration in the initial evaluation of the property, the owner

2683 may reapply to amend the application and receive the bonus points credit without paying an  
2684 additional application fee;

2685           2. Additional surface water quality buffer - three or five points. For the purposes  
2686 of this subsection B.2, "additional surface water quality buffer" means an undisturbed area  
2687 of native vegetation adjacent to a lake, pond, stream, wetland or marine water providing a  
2688 buffer width of at least twice that required by regulation. To be eligible as additional  
2689 surface water quality buffer, the property must qualify for the surface water quality buffer  
2690 or a shoreline category in subsection A. of this section. Three points are awarded for  
2691 additional buffers no less than two times the buffer width required by any applicable  
2692 regulation. Five points are awarded for additional buffers no less than three times the  
2693 buffer width required by any applicable regulation;

2694           3. Contiguous parcels under separate ownership - two points per participating  
2695 owner above one owner. The points under this subsection B.3. accrue to all of the owners.  
2696 However withdrawal of participating owner means the loss to each of the remaining  
2697 owners of the two points for the withdrawing owner's participation under this subsection  
2698 B.3. For the purposes of this subsection B.3, "contiguous parcels" means enrolling parcels  
2699 abutting each other without any significant natural or manmade barrier separating them or  
2700 enrolling parcels abutting a publicly owned open space but not necessarily abutting each  
2701 other without any significant natural or manmade barriers separating the publicly owned  
2702 open space and the parcels seeking open space classification. Contiguous parcels of land  
2703 with the same qualifying public benefit rating system resources are eligible for treatment as  
2704 a single parcel if open space classification is sought under the same application except as  
2705 otherwise prohibited. Award of this category requires a single application by multiple



2706 owners and parcels with identical qualifying public benefit rating system resources.  
2707 Treatment as contiguous parcels shall include: the requirement to pay only a single  
2708 application fee; and the requirement that the total area of all parcels combined must equal  
2709 or exceed any required minimum area, rather than each parcel being required to meet the  
2710 minimum area. Individual parcels may be withdrawn from open space classification  
2711 consistent with all applicable rules and regulations without affecting the continued  
2712 eligibility of all other parcels accepted under the same application, but the combined area  
2713 of the parcels remaining in open space classification must still qualify for their original  
2714 enrolling public benefit rating system category or categories. To be eligible as contiguous  
2715 parcels under separate ownership, the property must include two or more parcels under  
2716 different ownership. The owners of each parcel included in the application must agree to  
2717 identical terms and conditions for enrollment in the program;

2718 4. Conservation easement or historic preservation easement - fifteen points. For  
2719 the purposes of this subsection B.4, "conservation easement or historic preservation  
2720 easement" means land on which an easement is voluntarily placed that restricts, in  
2721 perpetuity, further potential development or other uses of the property. The granting of this  
2722 conservation easement or historic preservation easement provides additional value through  
2723 permanent protection of a resource. These easements are typically donated or sold to a  
2724 government or nonprofit organization, such as a land trust or conservancy. To be eligible  
2725 as conservation easement or historic preservation easement, the easement must be approved  
2726 by the department and be recorded with the records(~~(,-elections))~~) and licensing services  
2727 division. The easement shall be conveyed to the county or to an organization acceptable to  
2728 the department. In addition, historic preservation easements shall also be approved by the

2729 historic preservation officer of King County or officer of another certified local government  
2730 jurisdiction in which the property is located. An easement required by zoning, subdivision  
2731 conditions or other land use regulation is not eligible unless an additional substantive  
2732 easement area is provided beyond that otherwise required;

2733           5. Public access - points dependent on level of access. For the purposes of this  
2734 subsection B.5, "public access " means the general public is allowed to access for uses such  
2735 as, but not limited to, recreation, education or training. Access is required on only the  
2736 enrolling portion of the property. The landowner may impose reasonable restrictions on  
2737 access, such as limiting use to daylight hours, that are mutually agreed to by the landowner  
2738 and the department. No physical barriers may limit reasonable public access or negatively  
2739 affect an open space resource. To be eligible for public access at one of the levels  
2740 described in a. through d. of this subsection B.5, a property owner shall demonstrate that  
2741 the property is open to public access and is used by the public. Public access points for  
2742 historic properties shall be approved by the historic preservation officer of King County or  
2743 officer of another certified local government jurisdiction in which the property is located.  
2744 The property owner may be required to furnish and maintain signage according to county  
2745 specifications.

2746           a. Unlimited public access - five points. Year-round access by the general public  
2747 is allowed without special arrangements with the property owner.

2748           b. Limited public access because of resource sensitivity - five points. Access  
2749 may be reasonably limited due to the sensitive nature of the resource, with access provided  
2750 only to appropriate user groups. The access allowed shall generally be for an educational,  
2751 scientific or research purpose and may require special arrangements with the owner.

2752 c. Environmental education access - three points. The landowner enters into an  
2753 agreement with a school, an organization with 501(c)(3) tax status, or with the agreement  
2754 of the department, other community organization that allows membership by the general  
2755 public, to provide environmental education on the enrolled parcel to its members or the  
2756 public at large. The landowner and the department must mutually agree that the enrolled  
2757 parcel has value for environmental education purposes.

2758 d. Seasonally limited public access - three points. Access by the public is  
2759 allowed, with or without special arrangements with the property owner, during only part  
2760 of the year based on seasonal conditions, as mutually agreed to by the landowner and the  
2761 department.

2762 e. None or members-only - zero points. No public access is allowed or the  
2763 access is allowed only by members of the organization using or owning the land; and

2764 6. Easement and access - thirty five points. For the purposes of this subsection  
2765 B.6, "easement and access" means that the property has at least one qualifying open space  
2766 resource, unlimited public access or limited public access due to resource sensitivity, and a  
2767 conservation easement or historic preservation easement in perpetuity in a form and with  
2768 conditions acceptable to the department. To be eligible a property must receive credit for  
2769 an open space category and for the conservation easement or historic easement in  
2770 perpetuity category. The owner must agree to allow public access to the portion of the  
2771 property designated for public access in the easement. An easement required by zoning,  
2772 subdivision conditions or other land use regulation is not eligible, unless there is additional  
2773 easement area beyond that required. Credit for this category cannot overlap with the  
2774 equestrian-pedestrian trail linkage category.

2775            SECTION 92. Ordinance 4828, Section 7, as amended, and K.C.C. 20.62.070 are  
2776 each hereby amended to read as follows:

2777            A. The commission may approve, deny, amend or terminate the designation of a  
2778 historic resource as a landmark or community landmark only after a public hearing. At the  
2779 designation hearing the commission shall receive evidence and hear argument only on the  
2780 issues of whether the historic resource meets the criteria for designation of landmarks or  
2781 community landmarks as specified in K.C.C. 20.62.040 and merits designation as a  
2782 landmark or community landmark; and the significant features of the landmark. The  
2783 hearing may be continued from time to time at the discretion of the commission. If the  
2784 hearing is continued, the commission may make a preliminary determination of  
2785 significance if the commission determines, based on the record before it that the historic  
2786 resource is of significant value and likely to satisfy the criteria for designation in K.C.C.  
2787 20.62.040. The preliminary determination shall be effective as of the date of the public  
2788 hearing at which it is made. Where the commission makes a preliminary determination it  
2789 shall specify the boundaries of the nominated resource, the significant features thereof  
2790 and such other description of the historic resource as it deems appropriate. Within five  
2791 working days after the commission has made a preliminary determination, the historic  
2792 preservation officer shall file a written notice of the action with the director and mail  
2793 copies of the notice, certified mail, return receipt requested, to the owner, the person  
2794 submitting the nomination and interested persons of record. The notice shall include:

- 2795            1. A copy of the commission's preliminary determination; and  
2796            2. A statement that while proceedings pursuant to this chapter are pending, or  
2797 six months from the date of the notice, whichever is shorter, and thereafter if the

2798 designation is approved by the commission, the certificate of appropriateness procedures  
2799 in K.C.C. 20.62.080, a copy of which shall be enclosed, shall apply to the described  
2800 historic resource whether or not a building or other permit is required. The decision of  
2801 the commission shall be made after the close of the public hearing or at the next regularly  
2802 scheduled public meeting of the commission thereafter.

2803 B. Whenever the commission approves the designation of a historic resource  
2804 under consideration for designation as a landmark, it shall, within fourteen calendar days  
2805 of the public meeting at which the decision is made, issue a written designation report,  
2806 which shall include:

2807 1. The boundaries of the nominated resource and such other description of the  
2808 resource sufficient to identify its ownership and location;

2809 2. The significant features and such other information concerning the historic  
2810 resource as the commission deems appropriate;

2811 3. Findings of fact and reasons supporting the designation with specific  
2812 reference to the criteria for designation in K.C.C. 20.62.040; and

2813 4. A statement that no significant feature may be changed, whether or not a  
2814 building or other permit is required, without first obtaining a certificate of  
2815 appropriateness from the commission in accordance with K.C.C. 20.62.080, a copy of  
2816 which shall be included in the designation report. This subsection B.4. shall not apply to  
2817 historic resources designated as community landmarks.

2818 C. Whenever the commission rejects the nomination of a historic resource under  
2819 consideration for designation as a landmark, it shall, within fourteen calendar days of the  
2820 public meeting at which the decision is made, issue a written decision including findings

2821 of fact and reasons supporting its determination that the criteria in K.C.C. 20.62.040 have  
2822 not been met. If a historic resource has been nominated as a landmark and the  
2823 commission designates the historic resource as a community landmark, the designation  
2824 shall be treated as a rejection of the nomination for King County landmark status and the  
2825 foregoing requirement for a written decision shall apply. Nothing contained herein shall  
2826 prevent renominating any historic resource rejected under this subsection as a King  
2827 County landmark at a future time.

2828 D. A copy of the commission's designation report or decision rejecting a  
2829 nomination shall be delivered or mailed to the owner, to interested persons of record and  
2830 the director within five working days after it is issued. If the commission rejects the  
2831 nomination and it has made a preliminary determination of significance with respect to  
2832 the nomination, it shall include in the notice to the director a statement that K.C.C.  
2833 20.62.080 no longer applies to the subject historic resources.

2834 E. If the commission approves, or amends a landmark designation, K.C.C.  
2835 20.62.080 shall apply as approved or amended. A copy of the commission's designation  
2836 report or designation amendment shall be recorded with the records(~~(elections)~~) and  
2837 licensing services division, or its successor agency, together with a legal description of  
2838 the designated resource and notification that K.C.C. 20.62.080 and 20.62.130 apply. If  
2839 the commission terminates the designation of a historic resource, K.C.C. 20.62.080 shall  
2840 no longer apply to the historic resource.

2841 SECTION 93. Ordinance 10870, Section 330, as amended, and K.C.C. 21A.08.030  
2842 are each hereby amended to read as follows:

2843 A. Residential land uses.

KEY		RESOUR			RESIDENTIAL				COMMERCIAL/INDUST									
		CE							RIAL									
P-Permitted Use		A	F	M	R	U	R	U	R	N	B	C	B	R	B	O	I	
C-Conditional Use		G	O	I	U	R	E	R	E	E	U	O	U	E	U	F	N	
S-Special Use		Z	R	R	N	R	B	S	B	S	I	S	M	S	G	S	F	D
		O	I	E	E	A	A	E	A	I	G	I	M	I	I	I	I	U
		N	C	S	R	L	N	R	N	D	H	N	U	N	O	N	C	S
		E	U	T	A		V		E	B	E	N	E	N	E	E	T	
		L		L			E		N	O	S	I	S	A	S		R	
		T							T	R	S	T	S	L	S		I	
		U							I	H	Y						A	
		R							A	O							L	
		E							L	O								
										D								
SIC #	SPECIFIC LAND USE	A	F	M	R	UR	R1	R1		NB	CB	RB	O	I				
					A		-8	2-										
								48										
	DWELLIN G UNITS, TYPES:																	
*	Single	P	P		P	P	P	P		P17								

	Detached	C1 3	2		C1 3	C13	C1 3	C1 3					
*	Townhouse				C4 3	C4	P C1 2	P	P3	P3	P3	P 3	
*	Apartment				C4	C4	P5 C4	P	P3	P3	P3	P 3	
*	Mobile Home Park				S1 4		C8	P					
*	Cottage Housing						C1 6						
	GROUP RESIDEN CES:												
*	Community Residential Facility-I				C	C	P1 5 C	P	P3	P3	P3	P 3	
*	Community Residential Facility-II							P	P3	P3	P3	P 3	
*	Dormitory				C6	C6	C6	P					
*	Senior Citizen					P4	P4	P	P3	P3	P3	P 3	



	Assisted Housing											
	ACCESSORY USES:											
*	Residential Accessory Uses	P7	P 7		P7	P7	P7	P7	P7	P7	P7	P 7
*	Home Occupation	P	P		P	P	P	P	P	P	P	P
*	Home Industry	C			C	C	C					
	TEMPORARY LODGING :											
701 1	Hotel/Motel (1)									P	P	P
*	Bed and Breakfast Guesthouse	P9 C1 0			P1 0	P10	P1 0	P1 0	P10	P11	P11	
704 1	Organization Hotel/Lodg										P	

	ing Houses												
GENERAL	Land Use Table Instructions, see K.C.C. 21A.08.020 and												
CROSS												21	
REFERENCE												A.	
S:												02.	
												07	
												0;	
	Development Standards, see K.C.C. chapters 21A.12 through 21A.30;												
	General Provisions, see K.C.C. chapters 21A.32 through 21A.38;												
	Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44;												
	(*)Definition of this specific land use, see K.C.C. chapter 21A.06.												

- 2844 B. Development conditions.
- 2845 1. Except bed and breakfast guesthouses.
- 2846 2. In the forest production district, the following conditions apply:
- 2847 a. Site disturbance associated with development of any new residence shall be
- 2848 limited to three acres. Site disturbance shall mean all land alterations including, but not
- 2849 limited to, grading, utility installation, landscaping, clearing for crops, on-site sewage
- 2850 disposal systems and driveways. Additional site disturbance for raising livestock, up to
- 2851 the smaller of thirty-five percent of the lot or seven aces, may be approved only if a farm
- 2852 management (conservation) plan is prepared in accordance with K.C.C. chapter 21A.30.

2853 Animal densities shall be based on the area devoted to animal care and not the total area  
2854 of the lot;

2855           b. A forest management plan shall be required for any new residence in the  
2856 forest production district, that shall be reviewed and approved by the King County  
2857 department of natural resources and parks prior to building permit issuance; and

2858           c. A fire protection plan for the subject property is required and shall be  
2859 reviewed and approved by the Washington state department of natural resources with the  
2860 concurrence of the fire marshal for each residential use. This plan shall be developed in  
2861 such a manner as to protect the adjoining forestry uses from a fire that might originate  
2862 from the residential use. This plan shall provide for setbacks from existing forestry uses  
2863 and maintenance of approved fire trails or other effective fire line buffers on perimeters  
2864 with forest land.

2865           3. Only as part of a mixed use development subject to the conditions of K.C.C.  
2866 chapter 21A.14, except that in the NB zone on properties with a land use designation of  
2867 commercial outside of center (CO) in the urban areas, stand-alone townhouse  
2868 developments are permitted subject to K.C.C. 21A.12.040, 21A.14.030, 21A.14.060 and  
2869 21A.14.180.

2870           4.a. Only in a building listed on the National Register as an historic site or  
2871 designated as a King County landmark subject to the provisions of K.C.C. 21A.32.

2872           b. In the R-1 zone, apartment units are permitted, provided that:

2873           (1) The proposal shall be subject to a conditional use permit when exceeding  
2874 base density,

2875 (2) At least fifty percent of the site is constrained by unbuildable critical  
2876 areas. For purposes of this section, unbuildable critical areas shall include wetlands,  
2877 streams and slopes forty percent or steeper and associated buffers; and

2878 (3) The density does not exceed a density of eighteen units per acre of net  
2879 buildable area as defined in K.C.C. 21A.06.797; or

2880 c. In the R-4 through R-8 zones, apartment units are permitted, provided that  
2881 the proposal shall be subject to a conditional use permit when exceeding base density,  
2882 and provided that the density does not exceed a density of eighteen units per acre of net  
2883 buildable area as defined in K.C.C. 21A.06.797.

2884 5. Apartment units are permitted outright as follows:

2885 a. In the R-1 zone when at least fifty percent of the site is constrained by  
2886 unbuildable critical areas that for purposes of this section, includes wetlands, streams and  
2887 slopes forty percent or steeper and associated buffers, and provided that the density does  
2888 not exceed a density of eighteen units per acre of net buildable area as defined in K.C.C.  
2889 21A.06.797; or

2890 b. In the R-4 through R-8 zones, provided that the density does not exceed  
2891 eighteen units per acre of net buildable area as defined in K.C.C. 21A.06.797.

2892 6. Only as an accessory to a school, college, university or church.

2893 7.a. Accessory dwelling units:

2894 (1) Only one accessory dwelling per primary single detached dwelling unit;

2895 (2) Only in the same building as the primary dwelling unit on an urban lot  
2896 that is less than ten thousand square feet in area, on a rural lot that is less than the  
2897 minimum lot size, or on a lot containing more than one primary dwelling;

2898 (3) The primary dwelling unit or the accessory dwelling unit shall be owner  
2899 occupied;

2900 (4)(a) One of the dwelling units shall not exceed a floor area of one thousand  
2901 square feet except when one of the dwelling units is wholly contained within a basement  
2902 or attic, and

2903 (b) When the primary and accessory dwelling units are located in the same  
2904 building, only one entrance may be located on each street side of the building;

2905 (5) One additional off-street parking space shall be provided;

2906 (6) The accessory dwelling unit shall be converted to another permitted use or  
2907 shall be removed if one of the dwelling units ceases to be owner occupied; and

2908 (7) An applicant seeking to build an accessory dwelling unit shall file a notice  
2909 approved by the department of executive services, records(~~(, elections)~~) and licensing  
2910 services division, that identifies the dwelling unit as accessory. The notice shall run with  
2911 the land. The applicant shall submit proof that the notice was filed before the department  
2912 shall approve any permit for the construction of the accessory dwelling unit. The  
2913 required contents and form of the notice shall be set forth in administrative rules. If an  
2914 accessory dwelling unit in a detached building in the rural zone is subsequently converted  
2915 to a primary unit on a separate lot, neither the original lot nor the new lot may have an  
2916 additional detached accessory dwelling unit constructed unless the lot is at least twice the  
2917 minimum lot area required in the zone.

2918 (8) Accessory dwelling units and accessory living quarters are not allowed in  
2919 the F zone.

2920 (9) In the A zone, one accessory dwelling unit is allowed on any lot under  
2921 twenty acres in size, and two accessory dwelling units are allowed on lots that are twenty  
2922 acres or more, provided that the accessory dwelling units are occupied only by farm  
2923 workers and the units are constructed in conformance with the State Building Code.

2924 b. One single or twin engine, noncommercial aircraft shall be permitted only  
2925 on lots that abut, or have a legal access that is not a county right-of-way, to a waterbody  
2926 or landing field, provided there is:

2927 (1) no aircraft sales, service, repair, charter or rental; and

2928 (2) no storage of aviation fuel except that contained in the tank or tanks of the  
2929 aircraft.

2930 c. Buildings for residential accessory uses in the RA and A zone shall not  
2931 exceed five thousand square feet of gross floor area, except for buildings related to  
2932 agriculture or forestry.

2933 8. Mobile home parks shall not be permitted in the R-1 zones.

2934 9. Only as an accessory to the permanent residence of the operator, and:

2935 a. Serving meals to paying guests shall be limited to breakfast; and

2936 b. There shall be no more than five guests per night.

2937 10. Only as an accessory to the permanent residence of the operator, and:

2938 a. Serving meals to paying guests shall be limited to breakfast; and

2939 b. The number of persons accommodated per night shall not exceed five,

2940 except that a structure that satisfies the standards of the Uniform Building Code as

2941 adopted by King County for R-1 occupancies may accommodate up to ten persons per

2942 night.

2943 11. Only if part of a mixed use development, and subject to the conditions of  
2944 K.C.C. 21A.08.030B.10.

2945 12. Townhouses are permitted, but shall be subject to a conditional use permit if  
2946 exceeding base density.

2947 13. Required before approving more than one dwelling on individual lots,  
2948 except on lots in subdivisions, short subdivisions or binding site plans approved for  
2949 multiple unit lots, and except as provided for accessory dwelling units in K.C.C.  
2950 21A.08.030B.7.

2951 14. No new mobile home parks are allowed in a rural zone.

2952 15. Limited to domestic violence shelter facilities.

2953 16. Only in the R4-R8 zones limited to:

2954 a. developments no larger than one acre;

2955 b. not adjacent to another cottage housing development such that the total  
2956 combined land area of the cottage housing developments exceeds one acre; and

2957 c. All units must be cottage housing units with no less than three units and no  
2958 more than sixteen units, provided that if the site contains an existing home that is not  
2959 being demolished, the existing house is not required to comply with the height limitation  
2960 in subsection B.25. of this section or the floor area and footprint limits in K.C.C.  
2961 21A.14.025.B.

2962 17. The development for a detached single-family residence shall be consistent  
2963 with the following:

2964 a. The lot must have legally existed prior to March 1, 2005;

2965                   b. The lot has a comprehensive plan land use designation of Rural  
2966 Neighborhood or Rural Residential; and

2967                   c. The standards of this title for the RA-5 zone shall apply.

2968                   SECTION 94. Ordinance 10870, Section 354, as amended, and K.C.C.

2969 21A.12.170 are each hereby amended to read as follows:

2970                   Provided that the required setbacks from regional utility corridors of K.C.C.

2971 21A.12.140, the adjoining half-street or designated arterial setbacks of K.C.C.

2972 21A.12.160 and the sight distance requirements of K.C.C. 21A.12.210 are maintained,

2973 structures may extend into or be located in required setbacks, including setbacks as

2974 required by K.C.C. 21A.12.220.B, as follows:

2975                   A. Fireplace structures, bay or garden windows, enclosed stair landings, closets,  
2976 or similar structures may project into any setback, provided such projections are:

2977                   1. Limited to two per facade;

2978                   2. Not wider than ten feet; and

2979                   3. Not more than twenty-four inches into an interior setback or thirty inches into  
2980 a street setback;

2981                   B. Uncovered porches and decks that exceed eighteen inches above the finished  
2982 grade may project:

2983                   1. Eighteen inches into interior setbacks; and

2984                   2. Five feet into the street setback;

2985                   C. Uncovered porches and decks not exceeding eighteen inches above the  
2986 finished grade may project to the property line;

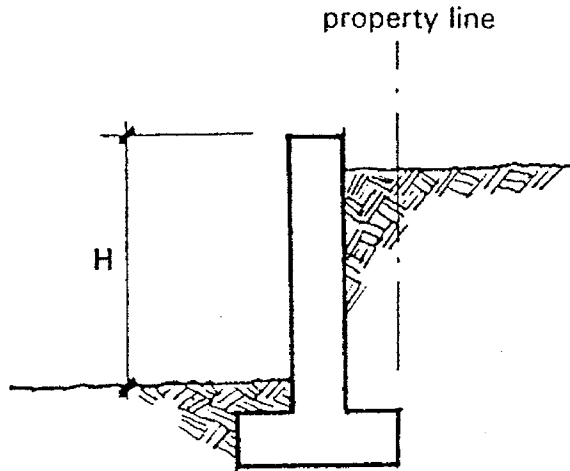
2987                   D. Eaves may not project more than:



- 2988           1. Eighteen inches into an interior setback;
- 2989           2. Twenty-four inches into a street setback; or
- 2990           3. Eighteen inches across a lot line in a zero-lot-line development;
- 2991           E. Fences with a height of six feet or less may project into or be located in any
- 2992 setback;
- 2993           F. Rockeries, retaining walls and curbs may project into or be located in any
- 2994 setback provided these structures:
- 2995           1. Do not exceed a height of six feet in the R-1 through R-18, UR, RA and
- 2996 resource zones;
- 2997           2. Do not exceed a height of eight feet in the R-24 and R-48 zones; and
- 2998           3. Do not exceed the building height for the zone in commercial/industrial
- 2999 zones, measured in accordance with the standards established in the King County
- 3000 Building Code, Title 16;
- 3001           G. Fences located on top of rockeries, retaining walls or berms are subject to the
- 3002 requirements of K.C.C. 21A.14.220;
- 3003           H. Telephone, power, light and flag poles;
- 3004           I. The following may project into or be located within a setback, but may only
- 3005 project into or be located within a five foot interior setback area if an agreement
- 3006 documenting consent between the owners of record of the abutting properties is recorded
- 3007 with the ((King County department of)) records and ((elections)) licensing services
- 3008 division prior to the installment or construction of the structure:
- 3009           1. Sprinkler systems, electrical and cellular equipment cabinets and other
- 3010 similar utility boxes and vaults;

- 3011                   2. Security system access controls;
- 3012                   3. Structures, except for buildings, associated with trails and on-site recreation
- 3013 spaces and play areas required in K.C.C.21A.14.180 and K.C.C. 21A.14.190 such as
- 3014 benches, picnic tables and drinking fountains; and
- 3015                   4. Surface water management facilities as required by K.C.C. 9.04;
- 3016                   J. Mailboxes and newspaper boxes may project into or be located within street
- 3017 setbacks;
- 3018                   K. Fire hydrants and associated appendages;
- 3019                   L. Metro bus shelters may be located within street setbacks;
- 3020                   M. Unless otherwise allowed in K.C.C. 21A.20.080, free standing and monument
- 3021 signs four feet or less in height, with a maximum sign area of twenty square feet may
- 3022 project into or be located within street setbacks;
- 3023                   N. On a parcel in the RA zone, in the interior setback that adjoins a property
- 3024 zoned NB or CB, structures housing refrigeration equipment that extends no more than
- 3025 ten feet into the setback and is no more than sixty feet in length; and
- 3026                   O. Stormwater conveyance and control facilities, both above and below ground,
- 3027 provided such projections are:
- 3028                   1. Consistent with setback, easement and access requirements specified in the
- 3029 Surface Water Design Manual; or
- 3030                   2. In the absence of said specifications, not within five feet of the property line.

RETAINING WALL IN SETBACK



H max. 6' in R1 - R18, UR, RA  
& Resource Zones

H max. 8' in R24 and R 48 Zones, and  
not to exceed building height  
requirement in Commerical/Industrial  
Zones

3031  
3032

SECTION 95. Ordinance 10870, Section 364, as amended, and K.C.C.

3033 21A.14.040 are each hereby amended to read as follows:

3034 Residential lot clustering is allowed in the R, UR and RA zones. If residential lot  
3035 clustering is proposed, the following requirements shall be met:

3036 A. In the R zones, any designated open space tract resulting from lot clustering  
3037 shall not be altered or disturbed except as specified on recorded documents creating the  
3038 open space. Open spaces may be retained under ownership by the subdivider, conveyed  
3039 to residents of the development or conveyed to a third party. If access to the open space  
3040 is provided, the access shall be located in a separate tract;

3041 B. In the RA zone:

3042 1. No more than eight lots of less than two and one-half acres shall be allowed  
3043 in a cluster;

3044 2. No more than eight lots of less than two and one-half acres shall be served by  
3045 a single cul-de-sac street;

3046           3. Clusters containing two or more lots of less than two and one-half acres,  
3047           whether in the same or adjacent developments, shall be separated from similar clusters by  
3048           at least one hundred twenty feet;

3049           4. The overall amount, and the individual degree of clustering shall be limited to  
3050           a level that can be adequately served by rural facilities and services, including, but not  
3051           limited to, on-site sewage disposal systems and rural roadways;

3052           5. A fifty-foot Type II landscaping screen, as defined in K.C.C. 21A.16.040,  
3053           shall be provided along the frontage of all public roads. The planting materials shall  
3054           consist of species that are native to the Puget Sound region. Preservation of existing  
3055           healthy vegetation is encouraged and may be used to augment new plantings to meet the  
3056           requirements of this section;

3057           6. Except as provided in subsection B.7. of this section, open space tracts  
3058           created by clustering in the RA zone shall be designated as permanent open space.  
3059           Acceptable uses within open space tracts are passive recreation, with no development of  
3060           active recreational facilities, natural-surface pedestrian and equestrian foot trails and  
3061           passive recreational facilities. A resource tract created under K.C.C. 16.82.152.E. may be  
3062           considered an open space tract for purposes of this subsection B.6;

3063           7. In the RA zone a resource land tract may be created through a cluster  
3064           development in lieu of an open space tract. A resource tract created under K.C.C.  
3065           16.82.152.E. may be considered a resource tract for purposes of this subsection B.7. The  
3066           resource land tract may be used as a working forest or farm if the following provisions  
3067           are met:

3068 a. Appropriateness of the resource land tract for forestry or agriculture has  
3069 been determined by the county;

3070 b. The subdivider shall prepare a forest management plan, that must be  
3071 reviewed and approved by the King County department of natural resources and parks, or  
3072 a farm management plan, if a plan is required under K.C.C. chapter 21A.30, that must be  
3073 developed by the King Conservation District. The criteria for management of a resource  
3074 land tract established through a cluster development in the RA zone shall be set forth in a  
3075 public rule. The criteria must assure that forestry or farming will remain as a sustainable  
3076 use of the resource land tract and, except as otherwise provided for resource tracts created  
3077 pursuant to K.C.C. 16.82.152.E, that structures supportive of forestry and agriculture may  
3078 be allowed in the resource land tract. The criteria must also set impervious surface  
3079 limitations and identify the type of buildings or structures that will be allowed within the  
3080 resource land tract;

3081 c. The recorded plat or short plat shall designate the resource land tract as a  
3082 working forest or farm;

3083 d. Resource land tracts that are conveyed to residents of the development shall  
3084 be retained in undivided interest by the residents of the subdivision or short subdivision;

3085 e. A homeowners association shall be established to assure implementation of  
3086 the forest management plan or farm management plan if the resource land tract is retained  
3087 in undivided interest by the residents of the subdivision or short subdivision;

3088 f. The subdivider shall file a notice with the King County department of  
3089 executive services, records(~~(, elections)~~) and licensing services division. The required  
3090 contents and form of the notice shall be set forth in a public rule. The notice shall inform

3091 the property owner or owners that the resource land tract is designated as a working  
3092 forest or farm, that must be managed in accordance with the provisions established in the  
3093 approved forest management plan or farm management plan;

3094 g. The subdivider shall provide to the department proof of the approval of the  
3095 forest management plan or farm management plan and the filing of the notice required in  
3096 subsection B.7.f. of this section before recording of the final plat or short plat;

3097 h. The notice shall run with the land; and

3098 i. Natural-surface pedestrian and equestrian foot trails, passive recreation, and  
3099 passive recreational facilities, with no development of active recreational facilities, are  
3100 allowed uses in resource land tracts; and

3101 8. The requirements of subsection B.1., 2., or 3. of this subsection may be  
3102 modified or waived by the director if the property is encumbered by critical areas  
3103 containing habitat for, or there is the presence of, species listed as threatened or  
3104 endangered under the Endangered Species Act when it is necessary to protect the habitat;  
3105 and

3106 C. In the R-1 zone, open space tracts created by clustering required by K.C.C.  
3107 21A.12.030 shall be located and configured to create urban separators and greenbelts as  
3108 required by the comprehensive plan, or subarea plans or open space functional plans, to  
3109 connect and increase protective buffers for critical areas, to connect and protect wildlife  
3110 habitat corridors designated by the comprehensive plan and to connect existing or planned  
3111 public parks or trails. The department may require open space tracts created under this  
3112 subsection to be dedicated to an appropriate managing public agency or qualifying private  
3113 entity such as a nature conservancy. In the absence of such a requirement, open space

3114 tracts shall be retained in undivided interest by the residents of the subdivision or short  
3115 subdivision. A homeowners association shall be established for maintenance of the open  
3116 space tract.

3117 SECTION 96. Ordinance 10870, Section 406, as amended, and K.C.C. 21A.18.020  
3118 are each hereby amended to read as follows:

3119 A. Before an occupancy permit may be granted for any new or enlarged building  
3120 or for a change of use in any existing building, the use shall be required to meet the  
3121 requirements of this chapter. In addition, K.C.C. 21A.18.110 I. and J. establish  
3122 residential parking limitations applicable to existing, as well as new, residential uses.

3123 B. If this chapter does not specify a parking requirement for a land use, the  
3124 director shall establish the minimum requirement based on a study of anticipated parking  
3125 demand. Transportation demand management actions taken at the site shall be considered  
3126 in determining anticipated demand. If the site is located in an activity center or  
3127 community business center, the minimum requirement shall be set at a level less than the  
3128 anticipated demand, but at no less than seventy-five percent of the anticipated demand.  
3129 In the study, the applicant shall provide sufficient information to demonstrate that the  
3130 parking demand for a specific land use will be satisfied. Parking studies shall be  
3131 prepared by a professional engineer with expertise in traffic and parking analyses, or an  
3132 equally qualified individual as authorized by the director.

3133 C. If the required amount of off-street parking has been proposed to be provided  
3134 off-site, the applicant shall provide written contracts with affected landowners showing  
3135 that required off-street parking shall be provided in a manner consistent with this chapter.  
3136 The contracts shall be reviewed by the director for compliance with this chapter, and if

3137 approved, the contracts shall be recorded with the ((county)) records((,-elections)) and  
3138 licensing services division as a deed restriction on the title to all applicable properties.  
3139 These deed restrictions may not be revoked or modified without authorization by the  
3140 director.

3141 D. Upon request from the proponent of any use subject to the this chapter located  
3142 in a rural town, rural neighborhood center, any commercial zone located in a rural area or  
3143 natural resource production district designated by the Comprehensive Plan, or any  
3144 agricultural product production, processing or sales use allowed in the A or F zones the  
3145 director may waive or modify this chapter in order to protect or enhance the historic  
3146 character of the area, to reduce the need for pavement or other impervious surfaces, to  
3147 recognize the seasonal nature of any such activity or to minimize the conversion of  
3148 agriculturally productive soils. Where a neighborhood or subarea plan with design  
3149 guidelines that includes the subject property has been adopted, the director shall base  
3150 allowable waivers or modifications on the policies and guidelines in such a plan.

3151 SECTION 97. Ordinance 10870, Section 408, as amended, and K.C.C. 21A.18.040  
3152 are each hereby amended to read as follows:

3153 The amount of off-street parking required by K.C.C. 21A.18.030 may be reduced  
3154 by an amount determined by the director when shared parking facilities for two or more  
3155 uses are proposed, provided:

- 3156 A. The total parking area exceeds 5,000 square feet;
- 3157 B. The parking facilities are designed and developed as a single on-site common  
3158 parking facility, or as a system of on-site and off-site facilities, if all facilities are



3159 connected with improved pedestrian facilities and no building or use involved is more  
3160 than eight hundred feet from the most remote shared facility;

3161 C. The amount of the reduction shall not exceed ten percent for each use, unless:

3162 1. The normal hours of operation for each use are separated by at least one hour;

3163 or

3164 2. A parking demand study is prepared by a professional traffic engineer and  
3165 submitted by the applicant documenting that the hours of actual parking demand for the  
3166 proposed uses will not conflict and those uses will be served by adequate parking if  
3167 shared parking reductions are authorized;

3168 3. The director will determine the amount of reduction subject to paragraph D of  
3169 this section.

3170 D. The total number of parking spaces in the common parking facility is not less  
3171 than the minimum required spaces for any single use;

3172 E. A covenant or other contract for shared parking between the cooperating  
3173 property owners is approved by the director. This covenant or contract must be recorded  
3174 with ~~((King County))~~ the records and ~~((elections))~~ licensing services division as a deed  
3175 restriction on both properties and cannot be modified or revoked without the consent of  
3176 the director; and

3177 F. If any requirements for shared parking are violated, the affected property  
3178 owners must provide a remedy satisfactory to the director or provide the full amount of  
3179 required off-street parking for each use, in accordance with the requirements of this  
3180 chapter, unless a satisfactory alternative remedy is approved by the director.

3181            SECTION 98. Ordinance 10870, Section 464, as amended, and K.C.C. 21A.24.170  
3182 are each hereby amended to read as follows:

3183            A. Except as otherwise provided in subsection of C. of this section, the owner of  
3184 any property containing critical areas or buffers on which a development proposal is  
3185 submitted or any property on which mitigation is established as a result of development  
3186 shall file a notice approved by King County with the records(~~(, elections))~~) and licensing  
3187 services division. The notice shall inform the public of:

- 3188            1. The presence of critical areas or buffers or mitigation sites on the property;  
3189            2. The application of this chapter to the property; and  
3190            3. The possible existence of limitations on actions in or affecting the critical areas  
3191 or buffers or the fact that mitigation sites may exist.

3192            B. The applicant for a development proposal shall submit proof that the notice  
3193 required by this section has been filed for public record before King County approves any  
3194 development proposal for the property or, in the case of subdivisions, short subdivisions  
3195 and binding site plans, at or before recording of the subdivision, short subdivision or  
3196 binding site plan.

3197            C. The notice required under subsection A. of this section is not required if:

- 3198            1. The property is a public right-of-way or the site of a permanent public facility;

3199 or

- 3200            2. The development proposal does not require sensitive area review under K.C.C.  
3201 21A.24.100.C.

3202            SECTION 99. Ordinance 12823, Section 16, as amended, and K.C.C. 21A.38.210  
3203 are each hereby amended to read as follows:

3204           A. The purpose of the heron habitat protection area special district overlay is to  
3205 provide a means to designate areas that provide essential feeding, nesting and roosting  
3206 habitat for identified great blue heron rookeries. A district overlay will usually contain  
3207 several isolated areas of known heron habitat in the general region surrounding the heron  
3208 rookery.

3209           B. The following development standards shall be applied in addition to all  
3210 applicable requirements of K.C.C. chapter 21A.24 and Title 25 to development proposals  
3211 located within a heron habitat protection area district overlay:

3212           1. The following conditions shall apply to the wetland or along the main channel  
3213 of the stream riparian zone containing the heron rookery (tributary streams are excluded):

3214           a. The one-hundred-year floodplain shall be left undisturbed. Development  
3215 proposals on individual lots shall require the one-hundred-year floodplain to retain the  
3216 native vegetation and be placed in a county-approved conservation easement or notice shall  
3217 be placed on the title of the lot. The notice shall be approved by King County and filed  
3218 with the records(~~(-elections)~~) and licensing services division. The notice shall inform the  
3219 public of the presence and location of the floodplain and heron habitat on the property and  
3220 that limitations on actions in or affecting the area exist. Subdivisions, short subdivisions  
3221 and binding site plans shall require the one-hundred-year floodplain to retain the native  
3222 vegetation and be placed in a critical areas tract, to be dedicated to the homeowner's  
3223 association or other legal entity that assumes maintenance and protection of the tract.  
3224 Determination of the floodplain shall be done for each permit application based on actual  
3225 field survey using county-approved floodplain elevations;

3226           b. There shall be a six-hundred-sixty-foot radius buffer maintained around the  
3227 periphery of the great blue heron rookery. If the critical areas and buffers are not adequate  
3228 to provide the radius, then the buffer shall be expanded to meet the requirement. A rookery  
3229 and its buffer shall be designated as critical area tract, easement or noticed on title as  
3230 required in this subsection; and

3231           c. All access shall be restricted under nest trees from February 15 to July 31 and  
3232 noted on signage at the floodplain or buffer edge, whichever is further from the rookery.  
3233 Access may be further restricted with fencing or dense plantings with native plant material  
3234 approved by the county. All developments in R-12 or higher density zones shall restrict  
3235 access and provide an interpretive sign that provides information about the stream or  
3236 wetland and its wildlife, biological, and hydrological functions. All signs shall be  
3237 consistent with critical area signage requirements and subject to review and approval of the  
3238 county;

3239           2. Subdivisions, short subdivisions, binding site plans, site development permits  
3240 or other commercial or multifamily permits adjacent to stream reaches and wetlands  
3241 designated on the heron habitat protection area district overlay map, shall provide buffers  
3242 that are fifty feet greater than required pursuant to K.C.C. chapter 21A.24 along those  
3243 streams and wetlands to provide habitat for herons. This additional fifty-foot buffer shall  
3244 be planted with dense native plant material to discourage human intrusion into feeding or  
3245 nesting and roosting areas. Plantings shall be reviewed and approved by the department. If  
3246 conformance with the additional buffer requirement results in an unbuildable lot, then the  
3247 minimum variation necessary to accommodate the proposed development shall be

3248 determined in consultation with county biologists and be reviewed and approved by the  
3249 department;

3250           3. Along the shoreline of lakes and river corridors included in the heron habitat  
3251 protection area, all subdivisions, short subdivisions, binding site plans, site development  
3252 permits or other commercial or multifamily permits shall provide a fifty-foot buffer in  
3253 addition to required shoreline setbacks of K.C.C. Title 25 and chapter 21A.24. Along the  
3254 shoreline of the major rivers (Sammamish, Green, Cedar, Snoqualmie, Snohomish,  
3255 Skykomish and White rivers), the setback requirement may be waived if a special wildlife  
3256 study shows no great blue heron nesting, roosting and feeding areas on the site. These  
3257 studies shall be done by a wildlife biologist and approved by county biologists. This  
3258 additional fifty-foot buffer shall be planted with dense native plant material to discourage  
3259 human intrusion into feeding or nesting and roosting areas. Plantings shall be reviewed and  
3260 approved by the department; and

3261           4. New docks, piers, bulkheads and boat ramps constructed within the heron  
3262 habitat protection area shall mitigate for loss of heron feeding habitat by providing  
3263 enhanced native vegetation approved by the county adjacent to the development or between  
3264 the development and the shoreline. Bulkheads shall be buffered from the water's edge by  
3265 enhanced plantings of native vegetation approved by the county.

3266           SECTION 100. Ordinance 13263, Section 10, as amended, and K.C.C. 23.02.090  
3267 are each hereby amended to read as follows:

3268           A. Whenever the applicable department determines that a code violation has  
3269 occurred or is occurring, the department shall make reasonable efforts to secure voluntary  
3270 compliance from the person responsible for code compliance. Upon contacting the

3271 person responsible for code compliance, the department may enter into a voluntary  
3272 compliance agreement as provided for in this section.

3273 B. A voluntary compliance agreement may be entered into at any time after  
3274 issuance of a verbal or written warning, a citation, a notice and order or a stop work order  
3275 and before an appeal is decided pursuant to K.C.C. chapter 20.24.

3276 C. The voluntary compliance agreement is a commitment by the person  
3277 responsible for code compliance under which the person agrees to do any combination of  
3278 abating the violation, remediating the site or mitigating the impacts of the violation. The  
3279 voluntary compliance agreement shall include the following:

- 3280 1. The name and address of the person responsible for code compliance;
- 3281 2. The address or other identification of the location of the violation;
- 3282 3. A description of the violation and a reference to the provision or provisions of  
3283 the ordinance, resolution or regulation that has been violated;
- 3284 4. A description of the necessary corrective action to be taken and identification  
3285 of the date or time by which compliance must be completed. For the purpose of this  
3286 subsection C.4, the department may either require that compliance be achieved by a  
3287 specific date or that compliance be achieved by a date to be determined based on the  
3288 occurrence of some future event;
- 3289 5. The amount of the civil penalty that will be imposed pursuant to K.C.C.  
3290 chapter 23.32 if the voluntary compliance agreement is not satisfied;
- 3291 6. An acknowledgment that the voluntary compliance agreement will be  
3292 recorded against the property in the ((office of)) records and ((elections)) licensing

3293 services division, the recording to be accomplished as provided for in notice and order  
3294 cases;

3295           7. An acknowledgment that if the department determines that the terms of the  
3296 voluntary compliance agreement are not met, the county may, without issuing a citation,  
3297 notice and order or stop work order, impose any remedy authorized by this title, which  
3298 includes the assessment of the civil penalties identified in the voluntary compliance  
3299 agreement, abatement of the violation, assessment of the costs incurred by the county to  
3300 pursue code compliance and to abate the violation, including legal and incidental  
3301 expenses, and the suspension, revocation or limitation of a development permit;

3302           8. An acknowledgment that if any assessed penalty, fee or cost is not paid, a  
3303 director may charge the unpaid amount as a lien against the property where the civil code  
3304 violation occurred if owned by the person responsible for code compliance, and that the  
3305 unpaid amount may be a joint and several personal obligation of all persons responsible  
3306 for code compliance;

3307           9. An acknowledgment that by entering into the voluntary compliance  
3308 agreement the person responsible for code compliance waives the right to  
3309 administratively appeal, and thereby admits, that the conditions described in the  
3310 voluntary compliance agreement existed and constituted a civil code violation; and that if  
3311 the department determines the terms of the voluntary compliance agreement are not met,  
3312 the person is subject to and liable for any remedy authorized by this title, which includes  
3313 the assessment of the civil penalties identified in the voluntary compliance agreement,  
3314 abatement of the violation, assessment of the costs incurred by the county to pursue code

3315 compliance and to abate the violation, including legal and incidental expenses, and the  
3316 suspension, revocation or limitation of a development permit; and

3317           10. An acknowledgment that the person responsible for code compliance  
3318 understands that he or she has the right to be served with a citation, notice and order or  
3319 stop work order for any violation identified in the voluntary compliance agreement, has  
3320 the right to administratively appeal any such a citation, notice and order or stop work  
3321 order, and that he or she is knowingly, voluntarily and intelligently waiving those rights.

3322           D. Upon entering into a voluntary compliance agreement, a person responsible  
3323 for code compliance waives the right to administratively appeal, and thereby admits, that  
3324 the conditions described in the voluntary compliance agreement existed and constituted a  
3325 civil code violation; and agrees that if the department determines the terms of the  
3326 voluntary compliance agreement are not met, he or she is liable for the civil penalty  
3327 available under K.C.C. chapter 23.32 and identified in the voluntary compliance  
3328 agreement, is liable for the costs incurred by the county to pursue code compliance and to  
3329 abate the violation, including legal and incidental expenses as provided for in K.C.C.  
3330 chapter 23.24 and is subject to all other remedies provided for in this title.

3331           E. An extension of the time limit for compliance or a modification of the required  
3332 corrective action may be granted by the department if the person responsible for code  
3333 compliance has shown due diligence or substantial progress in correcting the violation,  
3334 but circumstances render full and timely compliance under the original conditions  
3335 unattainable.

3336           F. The voluntary compliance agreement is not a settlement agreement.



3337            SECTION 101. Ordinance 13263, Section 22, as amended, and K.C.C. 23.24.030

3338 are each hereby amended to read as follows:

3339            A. The address, when available, or location of the civil code violation;

3340            B. A legal description of the real property or the King County tax parcel number  
3341 where the violation occurred or is located, or a description identifying the property by  
3342 commonly used locators;

3343            C. A statement that the director has found the named person to have committed a  
3344 civil code violation and a brief description of the violation or violations found;

3345            D. A statement of the specific provisions of the ordinance, resolution, regulation,  
3346 public rule, permit condition, notice and order provision or stop work order that was or is  
3347 being violated;

3348            E. The dollar amount of the civil penalty per separate violation;

3349            F. A statement advising that any costs of enforcement that exceed the amount of  
3350 the penalty may also be assessed against the person to whom the notice and order is  
3351 directed;

3352            G. A statement advising that the notice and order will be recorded against the  
3353 property in the ((King County office of)) records and ((elections)) licensing services  
3354 division subsequent to service;

3355            H. A statement of the corrective or abatement action required to be taken and that  
3356 all required permits to perform the corrective action must be obtained from the proper  
3357 issuing agency;

3358            I. A statement advising that, if any required work is not commenced or completed  
3359 within the time specified by the notice and order, a director may

3360 proceed to abate the violation and cause the work to be done and charge the costs thereof  
3361 as a lien against the property and as a joint and several personal obligation of any persons  
3362 responsible for code compliance;

3363 J. A statement advising that, if any assessed penalty, fee or cost is not paid on or  
3364 before the due date, a director may charge the unpaid amount as a lien against the  
3365 property where the civil code violation occurred if owned by a person responsible for  
3366 code compliance and as a joint and several personal obligation of all persons responsible  
3367 for code compliance;

3368 K. A statement advising that any person named in the notice and order or having  
3369 any record or equitable title in the property against which the notice and order is recorded  
3370 may appeal from the notice and order to the hearing examiner within fourteen days of the  
3371 date of service of the notice and order;

3372 L. A statement advising that a failure to correct the violations cited in the notice  
3373 and order could lead to the denial of subsequent King County permit applications on the  
3374 subject property;

3375 M. A statement advising that a failure to appeal the notice and order within the  
3376 applicable time limits renders the notice and order a final determination that the  
3377 conditions described in the notice and order existed and constituted a civil code violation,  
3378 and that the named party is liable as a person responsible for code compliance; and

3379 N. A statement advising the person responsible for code compliance of his or her  
3380 duty to notify the director of any actions taken to achieve compliance with the notice and  
3381 order.

3382            SECTION 102. Ordinance 13263, Section 23, as amended, and K.C.C. 23.24.040  
3383 are each hereby amended to read as follows:

3384            A. Whenever a notice and order is served on a person responsible for code  
3385 compliance, the director shall record a copy of the notice and order with the ((King  
3386 County)) records and ((elections)) licensing services division, or its successor agency.

3387            B. When all violations specified in the notice and order have been corrected or  
3388 abated, the director shall record a certificate of compliance with the ((King County))  
3389 records and ((elections)) licensing services division, or its successor agency. The  
3390 certificate shall include a legal description of the property where the violation occurred  
3391 and shall state that any unpaid civil penalties for which liens have been recorded are still  
3392 outstanding and continue as liens on the property.

3393            SECTION 103. Ordinance 13263, Section 24, as amended, and K.C.C. 23.24.050  
3394 are each hereby amended to read as follows:

3395            A. Whenever there is new information or a change in circumstances, a director  
3396 may add to, rescind in whole or part or otherwise modify a notice and order by issuing a  
3397 supplemental notice and order. The supplemental notice and order shall be governed by  
3398 the same procedures applicable to all notice and orders contained in this title.

3399            B. A director may revoke or modify a notice and order issued under this title if  
3400 the original notice and order was issued in error or if a party to an order was incorrectly  
3401 named. The revocation or modification shall identify the reasons and underlying facts for  
3402 revocation and shall be recorded with the ((King County)) records and ((elections))  
3403 licensing services division, or its successor agency.

3404            SECTION 104. Ordinance 13263, Section 48, as amended, and K.C.C. 23.40.010  
3405 are each hereby amended to read as follows:

3406            A. Within ninety days from the date any civil penalty, civil fine, abatement cost,  
3407 or enforcement cost is due pursuant to this title, a director may record a lien against the  
3408 property of a person responsible for code compliance for the amount owing with the  
3409 ((King County)) records and ((elections)) licensing services division, or its successor  
3410 agency.

3411            B. The lien shall contain the following information:

- 3412            1. The King County Code provision;
- 3413            2. A brief description of the violation and its duration at the date of recording;
- 3414            3. A brief description of the abatement work done, if any, and who performed  
3415 the abatement work;
- 3416            4. The owner of the property, if known, or a statement that the owner is not  
3417 known;
- 3418            5. A legal description of the property;
- 3419            6. The amount of penalties, fines or costs that are owing; and
- 3420            7. A sworn statement signed by a director that the director believes the claim is  
3421 just.

3422            SECTION 105. Ordinance 13263, Section 49, as amended, and K.C.C. 23.40.020  
3423 are each hereby amended to read as follows:

3424            A director may record supplemental liens with the ((King County)) records and  
3425 ((elections)) licensing services division, or its successor agency, to update information  
3426 regarding penalties, fines, costs or fees contained in any existing lien.

3427            SECTION 106. Ordinance 13263, Section 51, as amended, and K.C.C. 23.40.040  
3428 are each hereby amended to read as follows:

3429            A. No lien created by this title binds the property subject to the lien for a period  
3430 longer than three years after the lien claim has been recorded, unless an action to enforce  
3431 that lien is commenced in the proper court within three years after the recording.

3432            B. When all penalties or abatement costs, or both, assessed against the property  
3433 owner have been paid, the director shall expeditiously record a satisfaction of lien with  
3434 the ((King County)) records and ((elections)) licensing services division, or its successor  
3435 agency. The satisfaction shall include a legal description of the property where the  
3436 violation occurred.

3437            SECTION 107. Ordinance 3688, Section 409(4), as amended, and K.C.C.  
3438 25.16.120 are each hereby amended to read as follows:

3439            Any pier, moorage, float or launching facility authorized by K.C.C. 25.16.090  
3440 through 25.16.140 shall be subject to the following conditions:

3441            A. No structure may be located nor extend further waterward of the ordinary high  
3442 water mark than one-fourth the total distance from the shoreline associated with the  
3443 structure to the opposite shoreline. This total distance shall be measured from the point  
3444 where the authorized structure abuts the ordinary high water mark to the nearest opposite  
3445 high water mark as measured along a straight line; provided, when the structure does not  
3446 abut the ordinary high water mark, the distance from one ordinary high water mark to the  
3447 opposite ordinary high water mark shall be measured along the shortest straight line  
3448 passing through the center of that structure which commences from the property  
3449 associated with such a structure.

3450 B. No covered pier, covered moorage, covered float, or other covered structure is  
3451 permitted waterward of the ordinary high water mark, except that submerged, free-  
3452 standing mechanical boat lifts associated with single-family residential piers and  
3453 recreational watercraft may be covered with a canopy, provided:

- 3454 1. No canopy shall be more than 25 feet in length or wider than 15 feet;
- 3455 2. No portion of the canopy shall exceed a height of 10 feet above the Ordinary  
3456 High Water Line (OHWL);
- 3457 3. The canopy shall at no time have any side partly or wholly enclosed;
- 3458 4. The highest portion of the canopy shall be located below the topographical  
3459 grade of existing homes on surrounding properties;
- 3460 5. Canopies shall be made out of canvas or other such non-toxic materials;
- 3461 6. Canopies shall be of a solid color and should be of a shade which is non-  
3462 obtrusive;
- 3463 7. The canopy shall be included in the square footage calculations for piers, as  
3464 enumerated in K.C.C. 25.16.140.E; and
- 3465 8. Only one boat lift canopy per single-family residence shall be allowed.

3466 C. No pier, moorage, float, or overwater structure or device shall be located  
3467 closer than fifteen feet from the side property line extended, except that such structures  
3468 may abut property lines for the common use of adjacent property owners when mutually  
3469 agreed to by the property owners in a contract recorded with the ((King County division  
3470 of)) records and ((elections)) licensing services division, a copy of which must  
3471 accompany an application for a building permit or a shoreline permit; such joint use piers  
3472 may be permitted up to twice the surface area allowed by this title.

3473 D. All piers, moorages, floats or other such structures shall float at all times on  
3474 the surface of the water or shall be of open pile construction, provided no portion of the  
3475 structure shall, during the course of the normal fluctuations of the elevation of the water  
3476 body, protrude more than five feet above the surface of the water, except as provided in  
3477 subsection B.2.

3478 E. No pier, including finger pier, moorage, float, or overwater structure or device  
3479 shall be wider than fifty percent of the lot with which it is associated.

3480 F. No dwelling unit may be constructed on a pier.

3481

Ordinance 15971 was introduced on 11/13/2007 and passed by the Metropolitan King  
County Council on 11/19/2007, by the following vote:

Yes: 9 - Mr. Gossett, Ms. Patterson, Ms. Lambert, Mr. von Reichbauer, Mr.  
Dunn, Mr. Ferguson, Mr. Phillips, Ms. Hague and Mr. Constantine  
No: 0  
Excused: 0

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

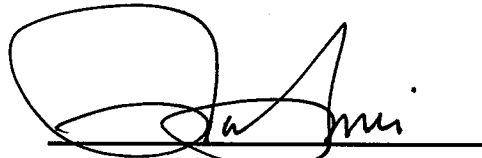
  
Larry Gossett, Chair

RECEIVED  
2007 DEC - 3 PM 3:43  
KING COUNTY COUNCIL

ATTEST:



Anne Noris, Clerk of the Council  
APPROVED this 30 day of NOVEMBER, 2007.

  
Ron Sims, County Executive

Attachments None