
Council Bill Number: 117950

Ordinance Number: 124347

AN ORDINANCE related to fees and charges for permits and activities of the Department of Planning and Development; amending Seattle Municipal Code Chapter 22.900A, Administration and Enforcement; and adding a new Chapter 22.900H, Rental Registration and Inspection Ordinance Program Fees.

Status: Passed

Note: Referred from the Full Council to the Government Performance and Finance Committee on July 15, 2013.

Vote: 6(Burgess, Bagshaw, Clark, Conlin, Godden, Licata)-0-1 (disqualified: Harrell, O'Brien, Rasmussen)

Date filed with the City Clerk: 2013/12/04

Date passed by Full Council: 2013/11/25

Date of Mayor's signature: 2013/11/26 ([about the signature date](#))

Date introduced/referred to committee: 2013/10/21

Committee: Budget

Sponsor: BURGESS

Committee Recommendation: Pass

Date of Committee Recommendation: 2013/11/18

Committee Vote: 6(Burgess, Bagshaw, Clark, Conlin, Godden, Licata)-0-1 (abstain: Harrell, O'Brien, Rasmussen)

Index Terms: MUNICIPAL-CODE, PERMITS, FEES, RENTAL-HOUSING, BUILDING-INSPECTION

Fiscal Note: [Fiscal Note to Council Bill No. 117950](#)

Electronic Copy: [PDF scan of Ordinance No. 124347](#)

Reference: [Ordinance 124011](#)

Text:

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE related to fees and charges for permits and activities of the Department of Planning and Development; amending Seattle Municipal Code Chapter 22.900A, Administration and Enforcement; and adding a new Chapter 22.900H, Rental Registration and Inspection Ordinance Program Fees.

WHEREAS, the City Council, by Ordinance 124011, directed that fees to implement the Rental

Registration and Inspection Ordinance program be adopted as part of the 2014 budget process; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 22.900A.010 of the Seattle Municipal Code, last amended by Ordinance 119255, is amended as follows:

22.900A.010 Title

Chapters 22.900A through ~~((22.900G))~~ 22.900H shall be known as the "Fee Subtitle," may be cited as such, and will be referred to in this subtitle as "this subtitle."

Section 2. Section 22.900A.020 of the Seattle Municipal Code, last amended by Ordinance 123453, is amended as follows:

22.900A.020 Purpose

A. It is the purpose of this Subtitle to prescribe equitable fees and fee collection policies for all services provided by the Department of Planning and Development, hereafter, "Department" or "DPD," and other City departments that are sufficient to cover their costs of processing applications, inspecting and reviewing plans, and preparing detailed statements required by Chapter 43.21C RCW.

B. An additional purpose of this subtitle is to prescribe special fees for testing, examination, registration, inspection, or the furnishing of certain services or materials.

C. A further purpose of this subtitle is to prescribe fees to cover the costs of implementing and administering the Rental Registration and Inspection Ordinance program as required by Chapter 22.214.

Section 3. Section 22.900A.030 of the Seattle Municipal Code, last amended by Ordinance 123755, is amended as follows:

22.900A.030 Payment and responsibility for fees

A. No permit shall be issued or approved, no Certificate of Occupancy shall be issued, no drawing or other data relating to such permit shall be examined, and no certificate or license shall be issued until the corresponding fees prescribed by this subtitle have been paid.

B. Unless otherwise specified in this subtitle, each distinct component of an application, review, permit, certificate, license, or other fee collected by the Department shall be charged as a separate fee.

C. Both the applicant for the permit, certificate ~~((or))~~, license, or fee associated with the Rental Registration and Inspection Ordinance program, and the owner of the subject property, are jointly and severally responsible for payment of fees required by this subtitle. However, when an applicant is not the owner and is not acting, even in part, as agent for the owner, the applicant is solely responsible for payment of applicable fees. Applicants and owners are liable for all charges incurred whether or not a favorable decision or recommendation is given by the Director, and regardless of whether a permit is issued, the project or application is canceled or denied before permit issuance, or a certificate or license is not issued.

D. The Director is authorized to accept as payment for fees contemplated under the ordinance codified in this subtitle the following forms of payment: U.S. currency, cashier's checks, corporate checks, traveler's checks, personal checks drawn on in-state banks, electronic funds transfers, and credit cards. Further, the Director has full authority to refuse any form of payment where the Director believes sufficient cause~~((s))~~ exists to question the City's ability to collect full payment.

E. Rental housing registrations, rental housing registration renewals, rental housing registration reinstatements, private qualified rental housing inspector registrations, or private qualified rental housing inspector renewal registrations shall not be issued until the corresponding fees prescribed by this subtitle have been paid. The Department shall not perform rental housing unit inspections as a qualified rental housing inspector until the corresponding fees prescribed by this Subtitle have been paid.

Section 4. Section 22.900A.050 of the Seattle Municipal Code, last amended by Ordinance 122297, is amended as

follows:

22.900A.050 Transition

A. Land Use and Environmentally Critical Areas Fees. Minimum land use review fees for applications requiring a land use or environmentally critical areas review shall be charged according to the permit fee legislation in effect when the application was received by the Department. Hourly fees shall be charged according to the legislation in effect when the review is performed.

B. Other Fees. Fees for other applications shall be set according to the ~~((permit fee legislation))~~ Fee Subtitle in effect at the time the review is performed unless one of the following occurs:

1. The permit is issued within ~~((twelve (12)))~~ 12 months of the start of the initial review; or
2. If longer than ~~((twelve))~~ 12 months, the Director determines that there was reasonable and continuous progress on the completion of permit requirements.

If either Item 1 or 2 occurs, the application shall be subject to the ~~((permit fee legislation))~~ Fee Subtitle in effect at the time the application was received by the Department.

Section 5. Section 22.900A.060 of the Seattle Municipal Code, last amended by Ordinance 123755, is amended as follows:

22.900A.060 Delinquent fees

A. Delinquent Fees. Whenever any fees have not been paid within 30 days after the billing date, the person or persons responsible for payment of the fee may be billed, payable immediately, for the remainder of the fees due. Interest shall accrue on the unpaid balance at 12 percent per annum, with a minimum \$1 charge. The Director is authorized to collect any fees that remain unpaid at 90 days after the billing date.

B. Not Sufficient Funds Fees. Whenever checks accepted prove not to be covered by sufficient funds, the person or persons responsible for payment of the fee shall be billed, payable immediately, for the remainder of the fees due and a \$21 charge. This shall be in addition to the delinquent fees assessed in Section 22.900A.060~~(())~~ A.

C. Remedies.

1. The Director may issue a stop-work order as provided in Section 22.900A.070 if the person or persons responsible for payment of a fee have not done so within 30 days after the billing.
2. Following notice to the applicant, the Director may suspend processing, and/or withhold issuance of a permit, decision, certificate or approval on any application if fees have not been fully paid until such time as the fees are paid.
3. Following notice to the applicant, the Director may cancel a permit application if fees have not been fully paid.
4. Following notice to the applicant, the Director may refer collection of any amounts due under this Subtitle to a collection agency. The cost to the Department for the collection services will be assessed as costs, at the rate agreed to between the Department and the collection agency, and added to the penalty.
5. Following notice to the applicant, the Director may take other actions to collect amounts due, including but not limited to, placing delinquent accounts on a cash-only basis.

D. Only subsection 22.900A.060.B of this Section 22.900A.060 shall apply to the Rental Registration and Inspection Ordinance program in Chapter 22.900H.

Section 6. Section 22.900A.080 of the Seattle Municipal Code, last amended by Ordinance 123453, is amended as follows:

22.900A.080 Civil penalty for violations((--))

A. Any person failing to comply with the provisions of this subtitle shall be subject to a civil penalty in the amount of \$27 per day for each failure to comply, from the date of failure to comply until compliance is achieved.

B. The penalty imposed by this subtitle shall be collected by civil action brought in the name of the City and commenced in Municipal Court. The Director shall notify the City Attorney in writing of the name of any person subject to the penalty and the amount of the penalty and the City Attorney shall, with the assistance of the Director, take appropriate action to collection the penalty.

C. This Section 22.900A.080 shall not apply to the Rental Registration and Inspection Ordinance program in Chapter 22.900H.

Section 7. A new Chapter 22.900H Rental Registration and Inspection Ordinance Program Fees is added to the Seattle Municipal Code as follows:

22.900H.010 Purpose

This Chapter 22.900H contains fees for the Rental Registration and Inspection Ordinance program required by Chapter 22.214.

22.900H.020 Rental housing registration and renewal fee

The fee for registering a property containing rental housing units is \$175 for the first rental housing unit plus an additional fee of \$2 for each additional rental unit. The fee is payable at the time the registration application is received by the Department. The fee for renewing a rental housing registration is the same as the rental housing registration fee and is payable at the time the renewal application is received by the Department.

22.900H.030 Rental housing registration and renewal late fee

The fee for registering a property containing rental housing units late or renewing a rental housing registration late is \$20 for registrations or renewals postmarked or received by the Department after the registration deadline. This late fee is in addition to the registration fee or renewal fee and any applicable penalties provided for in Chapter 22.214.

22.900H.040 Rental housing registration reinstatement fee

The fee for reinstating a revoked rental housing registration is \$300 and is payable at the time of reinstatement.

22.900H.050 Private qualified rental housing inspector training and registration fees

The fee for private qualified rental housing inspector training is \$50 and is payable in advance of the training. The fee for registering as a private qualified rental housing inspector is \$200 and is payable at the time of registration.

22.900H.060 Rental housing unit inspection fees if the department serves as a qualified rental housing inspector

The fee for the Department to serve as a qualified rental housing inspector to perform a rental housing unit inspection for a property and one housing unit is \$130. The fee for the Department to inspect each additional housing unit on the same property is \$25. The inspection fee is paid in advance of the inspection. The Department shall not charge for additional re-inspections for each unit the Department initially inspected to confirm that repairs required to pass the rental housing unit inspection and obtain a Certificate of Compliance have been completed.

Section 8. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the ____ day of _____, 2013, and signed by me in open session in authentication of its passage this

____ day of _____, 2013.

President _____ of the City Council

Approved by me this ____ day of _____, 2013.

Michael McGinn, Mayor

Filed by me this ____ day of _____, 2013.

Monica Martinez Simmons, City Clerk

(Seal)

Kris Castleman DPD 2014 Rental Registration and Inspection Fees ORD September 13, 2013 Version #5