

SUMMARY and FISCAL NOTE*

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** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to violations of and compliance with the Seattle Fire Code; establishing citation authority for the Seattle Fire Department; amending Sections 108, 109, 202, 901, and 902 and Appendix A of the 2015 Seattle Fire Code as adopted by Section 22.600.020 of the Seattle Municipal Code and as regulated and allowed by the State Building Code Act, Chapter 19.27 of the Revised Code of Washington; and amending Sections 3.02.125 and 3.16.320 of the Seattle Municipal Code.

Summary and background of the Legislation:

This legislation creates citation authority for use by a small number of officers in the Fire Prevention Division of the Seattle Fire Department (SFD) for a limited set of violations including locked exit doors, failure to properly maintain fire protection systems like sprinklers, and repeated false alarms. If responsible parties wish to request that the citation be reduced or overturned, they may request a hearing with the City's Hearing Examiner. The Fire Code already allows fines of \$1,000/day and prosecution in court. Citations will provide SFD with a more moderate tool than its existing ones to support compliance and help protect lives and save property.

This legislation creates civil citation authority for SFD similar to the citation provisions already established for other City departments, including the Seattle Department of Construction and Inspections and the Seattle Department of Transportation. The proposed citation amount is \$373 per violation, equal to the current fee for re-inspections, and in the lower-middle range of code compliance penalties used in the City. The proposed administrative provisions for SFD citations are intentionally similar to existing provisions in the Seattle Municipal Code for the Seattle Department of Construction and Inspections and the Seattle Department of Transportation, including appeal to the Office of the Hearing Examiner.

Exercising the citation authority created by the legislation will bring new revenues to the General Fund in 2020, after enforcement begins. Part-time positions and related budget authority will be added in the 2020 Budget in the Office of the Hearing Examiner and SFD to provide staffing for administering the new citations.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? Yes No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? Yes No

Appropriation change (\$):	General Fund \$		Other \$	
	2019	2020	2019	2020
Estimated revenue change (\$):	Revenue to General Fund		Revenue to Other Funds	
	2019	2020	2019	2020
		\$90,000		
Positions affected:	No. of Positions		Total FTE Change	
	2019	2020	2019	2020

Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

Yes. The Hearing Examiner will have one-time costs associated with modifying its software system needed to handle SFD’s citations data. Part-time positions and related budget authority will be added in the 2020 Budget in the Office of the Hearing Examiner and SFD to provide staffing for administering the new citations.

Is there financial cost or other impacts of *not* implementing the legislation?

Yes. Citation authority is an effective and fair manner of pursuing fire code compliance. Without civil citation authority, SFD’s remedies include filing civil and criminal legal cases against responsible parties. This would raise costs to the Law Department and would also create additional court costs for residents and businesses in Seattle. Civil citation authority allows the City to pursue fire and life safety without unnecessarily increasing criminal records of residents in Seattle.

3.d. Appropriations

_____ This legislation adds, changes, or deletes appropriations.

3.e. Revenues/Reimbursements

 X This legislation adds, changes, or deletes revenues or reimbursements.

Anticipated Revenue/Reimbursement Resulting from this Legislation:

Fund Name and Number	Dept	Revenue Source	2019 Revenue	2020 Estimated Revenue
General Fund – 001	SFD	New – SFD Citations		\$90,000
TOTAL				\$90,000

Is this change one-time or ongoing?

Ongoing.

3.f. Positions

_____ This legislation adds, changes, or deletes positions.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

Yes. As a result of this legislation, the Office of the Hearing Examiner will begin hearing appeals of citations related to violations of the Seattle Fire Code.

b. Is a public hearing required for this legislation?

No.

c. Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?

No.

d. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

No.

e. Does this legislation affect a piece of property?

No.

f. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?

This legislation creates additional non-criminal approaches toward code compliance and is compatible with public policy that seeks enforcement that provides alternatives to the criminal justice system. Ensuring fire code compliance helps promote fire and life safety for all who live, visit, and work in Seattle.

Prior to and after implementation, SFD will provide education and outreach to property owners and tenants related to the new citation provisions. Customized outreach will be provided to immigrant communities and key program documents and citation materials for residents will be translated and used in multiple languages. SFD is working with Office of Immigrant and Refugee Affairs, Office for Civil Rights, and SFD's Community Fire Safety Advocates on this outreach.

g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s).

N/A. This is not a new initiative or program expansion. This legislation is intended to provide additional and more nuanced tools for the Seattle Fire Department as it works with building owners and residents to achieve fire code compliance as part of the mission of saving lives and protecting property.

List attachments/exhibits below:

None.