



Legislation Details (With Text)

File #: CB 119388 **Version:** 1 **Name:** CB 119388
Type: Ordinance (Ord) **Status:** Passed
In control: City Clerk

On agenda: 11/19/2018
Final Action: 11/26/2018 **Ord. No.** Ord 125706

Title: AN ORDINANCE relating to street and sidewalk use; amending the Street Use Permit Fee Schedule authorized by Section 15.04.074 of the Seattle Municipal Code; removing street vacation fees from the Seattle Municipal Code in conformity with the new Street Use Permit Fee Schedule; and amending Section 15.62.030 of the Seattle Municipal Code.

Sponsors: Sally Bagshaw

Indexes:

Attachments: 1. Att A - SDOT Street Use Permit Fee Schedule, 2. Summary and Fiscal Note, 3. Signed Ordinance 125706, 4. Affidavit of Publication

Date	Ver.	Action By	Action	Result
11/26/2018	1	City Clerk	attested by City Clerk	
11/26/2018	1	Mayor	returned	
11/26/2018	1	Mayor	Signed	
11/21/2018	1	City Clerk	submitted for Mayor's signature	
11/19/2018	1	City Council	passed	Pass
11/14/2018	1	Select Budget Committee	pass	Pass
10/29/2018	1	City Council	referred	
10/24/2018	1	Council President's Office	sent for review	
10/22/2018	1	City Clerk	sent for review	
9/24/2018	1	Mayor	Mayor's leg transmitted to Council	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to street and sidewalk use; amending the Street Use Permit Fee Schedule authorized by Section 15.04.074 of the Seattle Municipal Code; removing street vacation fees from the Seattle Municipal Code in conformity with the new Street Use Permit Fee Schedule; and amending Section 15.62.030 of the Seattle Municipal Code.

WHEREAS, Section 15.04.074 of the Seattle Municipal Code authorizes and directs the Director of

Transportation to prepare and recommend to the City Council, for passage by ordinance, a schedule of

fees applicable to all street and sidewalk use permits (“the Street Use Permit Fee Schedule” or “fee schedule”) that may take into consideration the undesirability of the use or occupation relative to the rights of the public; and

WHEREAS, street vacation filing fees have not been updated since 1983 and do not accurately reflect the cost of administering petitions as required under Section 15.04.074; and

WHEREAS, all other fees for street use-related activities are in the Street Use Permit Fee Schedule, and relocating the street vacation fees to the fee schedule establishes greater consistency; and

WHEREAS, it is appropriate that The City of Seattle adjust those fees to comply with current City policy to protect the right-of-way for the traveling public, especially those by active and high-occupancy modes;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Seattle Department of Transportation (SDOT) Street Use Fee Schedule, Attachment A to Ordinance 125452, is replaced by the SDOT Street Use Permit Fee Schedule attached as Attachment A to this ordinance. Otherwise, Ordinance 125452 remains in effect.

Section 2. The Director shall adjust use fees in Attachment A to this ordinance based on changes in the average assessed land value in Seattle as calculated from the King County Assessor’s average assessed land value for King County.

Section 3. Section 15.62.030 of the Seattle Municipal Code, last amended by Ordinance 118409, is amended as follows:

15.62.030 Petition fees((;-))

Every petition for the vacation of any street, alley, or public place, or any part thereof, shall be accompanied by an initial filing fee payment to the ~~((City of a pre-hearing fee of Four Hundred Fifty Dollars (\$450.00) to defray a portion of the administrative costs incurred in processing such vacation petitions. Subsequent fees for post-hearing activities shall be One Hundred Fifty Dollars (\$150.00) for single-family residential zoned land, and~~

~~Three Hundred Dollars (\$300.00)) for all other street vacation petitions)) Department of Transportation to cover the administrative costs incurred in processing the vacation petition. The filing fee amount shall be established according to the Street Use Permit Fee Schedule. ((Such)) The fees shall not be refunded under any circumstances. In addition, ((at the time)) when the City Council, or a committee thereof, recommends granting a vacation petition ((for single family residential zoned land)) , the petitioner shall deposit ((Six Hundred Dollars (\$600.00)) with the Director of Transportation to be applied to the cost of an appraisal. If the land is zoned other than single family residential or multiple parcels of land are involved in the vacation, the petitioner shall deposit)) an amount determined by the Director of Transportation to be the Director's best estimate of the cost of an appraisal of the land to be used by the City for reviewing the appraisal. ((In the event)) If an appraisal cost is less than the amount deposited, the vacation compensation payable to the City shall be reduced by the difference between the deposit and the actual cost, or ((;)) in the alternative((, such)) the difference shall be refunded. ((In the event)) If an appraisal cost is more than the amount deposited, the vacation compensation payable to the City shall be increased by the difference between the deposit and the actual cost, or ((;)) in the alternative((, such)) the difference shall be separately billed and paid ((prior to)) before final vacation approval ((of the vacation)).~~

Section 4. This ordinance shall take effect and be in force on April 1, 2019.

Passed by the City Council the _____ day of _____, 2018, and signed by me in open session in authentication of its passage this _____ day of _____, 2018.

President _____ of the City Council

Approved by me this _____ day of _____, 2018.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2018.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment A - Seattle Department of Transportation Street Use Permit Fee Schedule