

Indemnification & Hold Harmless

Update to SMC 15.04 - Use & Occupation Permits

Our Vision, Mission, Values, & Goals

Seattle is a thriving equitable community powered by dependable transportation. We're on a mission to deliver a transportation system that provides safe and affordable access to places and opportunities.

Core Values & Goals:

Equity, Safety, Mobility, Sustainability, Livability, and Excellence.

Today's Purpose

Today, we're looking for a vote on Council Bill 120722

This is a minor clean-up update to Title 15 to clarify indemnification and hold harmless responsibilities due to the larger update completed by Ordinance 126732

Background - Prior Legislation

Ordinance 126732 (effective January 14, 2023) added this language:

"All uses of the public place shall comply with the provisions of Title 15, whether or not a permit is required. At the authorizing official's discretion, certain uses of the public place that have limited or no mobility impact may not require written permit approval, but shall, however, still conform to established standards for that use as adopted by Director's Rule."

This allows the SDOT Director to exempt certain uses from the permit requirement

Any permit exemption must be authorized by an SDOT Director's Rule

Background - Prior Legislation

Two examples of limited impact use for which permits are no longer required:

- **Adjacent-business merchandise displays that meet our guidelines**
Authorized by SDOT Director's Rule 02-2023
- **Signs projecting from private property over public right-of-way**
Authorized by SDOT Director's Rule 05-2023

Purpose of New Legislation

Updates code section covering indemnity agreements and covenants

- Ties indemnification to *"the individual or entity making use of the public place as defined in Section 15.02.048, whether or not a permit for the use is required or a permit is required but has not been obtained..."*
- Addresses situations where a permit is not required
- Also addresses situations where a permit IS required, but the user has not applied for or obtained the required permit

Questions?

Alyse Nelson, Interim Street Use Division Director &

Public Space Manager

alyse.nelson@seattle.gov

206-423-6330