

ORDINANCE 3573

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE SEPARATION OF THE DEPARTMENT OF ADMINISTRATION AND FINANCE INTO THE DEPARTMENT OF ADMINISTRATIVE SERVICES AND THE DEPARTMENT OF FINANCE AND THE ASSIGNMENT OF DEPARTMENTAL RESPONSIBILITIES TO EACH NEW DEPARTMENT.

Be it ordained by the City Council of the City of Kirkland as follows:

Section 1. Section 3.08.020 of the Kirkland Municipal Code is hereby amended as follows:

3.08.020 Salaries—Other officers and employees.

For all other city offices and positions as may, from time to time, be established (including, but not by way of limitation, the city manager, the director of ~~administration~~ administrative services, and the director of finance (ex-officio city clerk/treasurer)), the salaries shall be as set forth in the annual budget as adopted for each year.

Section 2. Chapter 3.12 of the Kirkland Municipal Code is hereby repealed in its entirety.

Section 3. Chapter 3.16.030 of the Kirkland Municipal Code is hereby amended to read as follows:

3.16.030 Department of administrative services.

~~There shall also be a department of administration and finance which shall combine the functions of city clerk and city treasurer, and shall be organized in accordance with the provisions of Chapter 3.12 of this title.~~

There shall also be a department of administrative services. The director of the department of administrative services may, with the concurrence of the city manager, establish within the department functional divisions such as personnel and administration, and recording and records. The recording and records supervisor or manager may be designated "city clerk."

Section 4. Chapter 3.16 of the Kirkland Municipal Code is hereby amended by the addition of a new Section 3.16.035 to read as follows:

3.16.035 Department of finance.

There shall also be a department of finance. The director of the department of finance may, with the concurrence of the city manager, establish within the department functional divisions such as budget

and finance (including warrant operations) and purchasing. The budget and finance supervisor or manager may be designated "city treasurer."

Section 5. Section 3.49.080 of the Kirkland Municipal Code is hereby amended to read as follows:

3.49.080 Court operation.

As part of the annual preliminary budget presentation, the department of ~~administration and finance~~ will create a budget for the court and the city manager will make a recommendation to the city council. The annual budget for the municipal court shall be as approved by the city council. All employees of the municipal court shall, for all purposes, be deemed employees of the city. They shall be subject to applicable provisions of city personnel rules, collective bargaining agreements, and state laws, such as RCW 3.50.080.

Section 6. Section 3.60.010 of the Kirkland Municipal Code is hereby amended to read as follows:

3.60.010 Relief and pension system established—Board membership.

A fireman's relief and pension system is hereby declared to have been established and created for the city full-time, full-paid fire department as of March 1, 1969, and the fireman's pension board thereby created shall consist of the following five members, ex officio the mayor, who shall be chairman of the board, the city manager, the director of ~~administration and finance~~ administrative services, and in addition, two members to be elected by secret ballot of the firemen, at least one of which must be a regularly employed fireman.

Section 7. Section 3.72.010 of the Kirkland Municipal Code is hereby amended to read as follows:

3.72.010 Officers.

The following named city officials shall, as required by RCW 35A.13.080, furnish a surety or guaranty bond for the faithful performance of their duties; provided, that said bonds may be combined in the form known as a named schedule bond, and the cost thereof shall be paid by the City of Kirkland.

Office	Bond Amount	Term
City manager	\$ 50,000	Annual
Director of administration and finance (city-treasurer-city-clerk)	100,000	Annual
Chief of police	5,000	Annual

Section 8. Section 3.76.010 of the Kirkland Municipal Code is hereby amended to read as follows:

3.76.010 When advances made—State law conformance.

Whenever it becomes necessary for an elected or appointed official or employee of the city to travel and incur expenses, a reasonable allowance to such officers and employees may be paid in advance of expenditure pursuant to the provisions of this chapter. Such advance shall be made under appropriate rules and regulations to be prescribed by the director of ~~administration and finance~~, which rules and regulations shall be consistent with those rules and regulations to be prescribed by the State auditor acting pursuant to RCW 42.24.120 through 42.24.160.

Section 9. Section 3.76.020 of the Kirkland Municipal Code is hereby amended to read as follows:

3.76.020 Revolving fund established —Use.

For the purpose of making advance payments of travel expenses in the manner provided in this chapter, there is established a revolving fund to be used solely for the purpose of making such advance payments of travel expenses. The revolving fund will be maintained in a bank as a checking account and advances to officials or employees will be made by check. The fund shall be replenished by warrant. The director of ~~administration and finance~~ is authorized and directed to transfer by warrant to the travel expense revolving fund the sum of five thousand dollars.

Section 10. Section 3.76.040 of the Kirkland Municipal Code is hereby amended to read as follows:

3.76.040 Travel expense voucher —Unpaid advance—Interest.

On or before the tenth day following the close of the authorized travel period for which expenses have been advanced to any official or employee, he shall submit to the director of ~~administration and finance~~ a fully itemized travel expense voucher for all reimbursable items legally expended accompanied by the unexpended portion of such advance, if any. Any advance made for this purpose or any portion thereof not repaid or accounted for in the manner and the time specified herein shall bear interest at the rate of ten percent per year from the date of default until paid.

Section 11. Subsection 3.80.040(J)(2) of the Kirkland Municipal Code is hereby amended to read as follows:

3.80.040 Policies and procedures.

(J)(2) Response to Reports of Sexual Harassment. Written reports concerning sexual harassment will be forwarded to the personnel manager unless there is an allegation against that person

or against the director of ~~administration and finance~~ administrative services, and if so, then written reports will be forwarded to the city manager, but if he or she is unavailable, then to the assistant city manager; provided, however, written reports alleging sexual harassment on the part of the city manager or any elected or appointed city official shall be forwarded to the city attorney. This procedure will apply to written statements received from reporting employees or written records made by higher managerial or supervisory employees, including department heads and division supervisors. Whenever higher managerial or supervisory city employees become aware of allegations of sexual harassment, they will make a written record of the allegations and will forward it as described above.

The personnel manager, the city manager, assistant city manager or the city attorney will begin an investigation, if necessary. The city manager, city attorney, or personnel manager, with the concurrence of the city manager, may engage the services of an independent third party to assist in the investigation. The first preinvestigation step shall be to inquire of all persons reporting as to whether the record now includes all allegations of sexual harassment. Should the allegations, if true, not describe sexual harassment as defined in Section 3.80.020 of this code, then no investigation shall be conducted and all records shall be gathered together and sealed. All other reports of sexual harassment will be investigated within a reasonably prompt time after the report is received.

The investigation will be directed at ascertaining the facts concerning the allegations. It is appropriate to compare the treatment of others with that of the employee allegedly affected and to see whether others have also been treated the same way. If, in the course of investigation, evidence of sexual harassment involving other employees is found, the city shall initiate a separate investigation.

The investigator shall cause the person reported to have sexually harassed an employee to be advised of the allegations and to afford such person an opportunity to reply in writing. The employee shall also be advised that any retaliation will be subject to disciplinary action regardless of the outcome of the investigation of allegations of sexual harassment.

The results of the investigation shall be reduced to writing, and a finding shall be made that there is or is not reasonable cause for disciplinary action. Nothing in this section shall limit the authority of the city to modify policies or practices to correct any appearance of sexual harassment without finding reasonable cause for disciplinary action or taking any disciplinary action. The report will also include any recommendations for promotion or other personnel actions for the employee alleged to have been affected by sexual harassment.

The report shall be forwarded to the city manager, who shall, if warranted, take appropriate disciplinary or other action pursuant to pertinent city procedures; provided, however, if the report concerns allegations of sexual harassment on the part of the city manager or

any elected or appointed city official, then the city attorney shall forward the report to the city council for appropriate disposition.

Section 12. Subsection 3.84.020(a) of the Kirkland Municipal Code is hereby amended to read as follows:

3.84.020 Maintenance.

(a) All substantive and procedural rules of general applicability, descriptions of the city organization and method of operation, statements of general policy or interpretations thereof, including all amendments, revisions or repeals, are to be found or indexed in RCW Title 35A, this code, other ordinances or resolutions adopted by the city council or minutes of the regular meetings of the city council or the Houghton community council. All such records are indexed and maintained in the office of the director of ~~administration and finance~~ administrative services for the city.

Section 13. Section 3.84.030 of the Kirkland Municipal Code is hereby amended to read as follows:

3.84.030 Request procedure.

Persons wishing to inspect or copy city records should first make such request to the public counter in the office of the director of ~~administration and finance~~ administrative services. If the request is for a particular department, the requester shall be so advised. All assistance necessary to help the requester locate the particular record shall be provided either by an employee of the department of ~~administration and finance~~ administrative services or of the particular department, provided that the giving of such assistance does not unreasonably disrupt the operation of the department or the other duties of the assisting employee. The city shall process requests received by mail as nearly as possible in the same manner as set forth herein for in-person requests.

Section 14. Subsection 3.84.040(a) of the Kirkland Municipal Code is hereby amended to read as follows:

3.84.040 How to obtain copies - Reimbursement for cost.

(a) Conformed copies of written records, copies of maps, photographs, including slides, and cassette copies of audio tape recordings and copies of video tape recordings shall be made and provided by the city upon request and payment of the actual cost of reproducing same. The city manager is directed, in consultation with the appropriate department heads, to prepare and file with the director of ~~administration and finance~~ administrative services as a public document a schedule of such costs or reproduction. In determining the cost of reproduction, labor cost shall be an includable factor.

Section 15. Subsection 3.84.050(a) of the Kirkland Municipal Code is hereby amended to read as follows:

3.84.050 Procedure for review of decision denying inspection or copy.

(a) Whenever a member of the public has requested to inspect or copy a record and that request has been denied, he may resubmit the request in writing and either deliver the written request in person to the deputy city clerk in the office of the director of ~~administration and finance~~ administrative services or deliver it by mail addressed to the Deputy City Clerk, City of Kirkland, 123 Fifth Avenue, Kirkland, Washington 98033.

Section 16. Section 3.84.100 of the Kirkland Municipal Code is hereby amended to read as follows:

3.84.100 Retention and destruction schedule - Verbatim audio tape recordings.

Audio verbatim tape recordings of all city hearing examiner sessions, city council, city board and city commission meetings shall be retained by the department of ~~administration and finance~~ administrative services for the periods of time established in this section. At the termination of the appropriate retention period, such audio verbatim tape recordings may be destroyed in any manner not inconsistent with the requirements of RCW 40.14.070 and Chapter 414-24, Washington Administrative Code:

(1) Audio verbatim tape recordings of all regular scheduled meetings (including hearing examiner sessions and other public hearings, but excluding those meetings identified in Section 3.10.020 of this code as "study meetings") of the hearing examiner, the city council and the planning commission shall be retained for ten years.

(2) Audio verbatim tape recordings of every other meeting of the city council, planning commission, civil service commission, park board, Houghton community council and all other official boards and commissions of the city shall be retained until the official written minutes of the meeting have been approved; provided, however, that audio verbatim tape recordings of all meetings involving issues, decisions and actions that could cause legal action to be taken against the city, shall be retained for ten years; provided further, that if the action so taken is a recommendation (as distinguished from a final action), the tape recording may be destroyed after six years.

Section 17. Section 3.85.020 of the Kirkland Municipal Code is hereby amended to read as follows:

3.85.020 Responsibility for purchasing.

The director of ~~administration and finance~~ shall be responsible for all city government purchasing and public works construction contract procurement and shall appoint a purchasing ~~manager~~ agent who

shall, subject to the exceptions stated in this chapter, make all purchases of materials, supplies, equipment, including lease of equipment, and contractual services for all departments, offices, boards and other agencies of the city government. The director of ~~administration and finance~~ may delegate to the department director placing the purchase order authority to make direct, nonrecurring purchases of up to one thousand dollars for materials, supplies or equipment. The duties and responsibilities designated in this chapter to be performed by the director of ~~administration and finance~~ and by the purchasing manager agent shall be performed under the direction and control of the city manager.

Section 18. Section 3.85.042 of the Kirkland Municipal Code is hereby amended to read as follows:

3.85.042 Lease of equipment.

The lease of equipment shall, for the purposes of this chapter, be deemed to be the lease or rental of equipment, whether or not an option to purchase is included. No equipment shall be leased without prior approval of the director of ~~administration and finance~~.

Section 19. Section 3.85.120 of the Kirkland Municipal Code is hereby amended to read as follows:

3.85.120 Formal contract requirements.

(1) Approval of Legal Form of Contracts. All contracts for the purchase of supplies, services, materials and equipment required by this chapter shall be approved as to legal form by the city attorney.

(2) Approval by the City Manager or Designated Agent. The city manager or his designated agent shall examine all contracts, purchase orders and other documents which involve financial obligations against the city and approve the same only upon ascertaining that monies have been appropriated and that an unexpended and unencumbered balance is available to meet the same. The director of ~~administration and finance~~ is the disbursing officer and is designated the approving authority for the collection and fund disposition of the retainage as provided in RCW 60.28.010.

(3) Authority to Sign Contracts. All contracts for purchase of supplies, materials, equipment or services required by this chapter shall be executed on behalf of the city by the city manager or the director of ~~administration and finance~~ where the contract is for twenty thousand dollars or more and by the purchasing manager agent or the director of the using department if the contract is less than twenty thousand dollars.

Section 20. Section 3.85.170 of the Kirkland Municipal Code is hereby amended to read as follows:

3.85.170 Bid opening.

Bids shall be submitted sealed to the office of the purchasing agent at any time within regular business hours and shall be identified as bids on the envelope. Bids shall be opened in public by the director of ~~administration and finance~~ and the purchasing ~~manager agent~~, or their designees, at the time and place stated in the call for bids. The department concerned with the bid and the purchasing ~~manager agent~~ shall tabulate the bids and make appropriate recommendations to the city manager.

Section 21. Section 3.88.040 of the Kirkland Municipal Code is hereby amended to read as follows:

3.88.040 Reimbursement to owner.

If the owner of the personal property so sold, or his legal representative, shall, at any time within three years after such money has been deposited in the city current expense fund or with the director of ~~administration and finance~~, demand, he or they shall be entitled to receive from the city current expense fund the amount so deposited therein.

Section 22. Section 3.92.010 of the Kirkland Municipal Code is hereby amended to read as follows:

3.92.010 Service rates.

The city manager is authorized and directed to determine and establish the rates to be charged for opening and closing and for such other services as the city may render incidental to the operation and maintenance of the Kirkland Cemetery. In establishing such rates, the manager shall take into consideration the cost to the city in rendering such a service and the charges made by other cemeteries in the area for such services. The rates scheduled to be established by the city manager, or any modifications or amendments thereto, shall become effective on the filing of same with the director of ~~administration and finance (ex officio city clerk)~~ for the city.

Section 23. Section 5.04.050 of the Kirkland Municipal Code is hereby amended to read as follows:

5.04.050 Administration and collection—Contract authorized.

The director of ~~administration and finance~~ is hereby authorized and directed to enter into a contract with the Department of Revenue for the State of Washington for administration of the tax herein imposed. The contract shall be substantially in the form as Exhibit A on file in the office of the city clerk and by this reference incorporated herein.

Section 24. Subsection 5.08.020(5) of the Kirkland Municipal Code is hereby amended to read as follows:

5.08.020 Definitions.

(5) "Tax year" or "taxable year" means the year commencing January 1st and ending on the last day of December of the same year, or, in lieu thereof, the taxpayer's fiscal year when permission is obtained from the ~~city-clerk~~ director of finance to use the same as the tax period.

Section 25. Section 5.08.040 of the Kirkland Municipal Code is hereby amended to read as follows:

5.08.040 License tax year.

All occupation licenses shall be for the tax year for which issued and shall expire at the end of such tax year. Such occupation license and the fee or tax therefor hereby imposed shall be for the year commencing January 1st and ending on the last day of December of the same year; provided, however, that if the taxpayer in transacting his business keeps the books reflecting same for a fiscal year not based on the calendar year, he may, with the assent of the director of ~~administration and finance~~, obtain his license for the period of his current fiscal year, which shall be deemed his tax year, and pay the fee or tax computed upon his gross income made during his fiscal year covering his accounting period as shown by the method of keeping the books of the business.

Section 26. Subsection 5.08.070(a) of the Kirkland Municipal Code is hereby amended to read as follows:

5.08.070 Application or return for license.

(a) On or before the first day of each tax year, every taxpayer shall apply to the ~~city-clerk~~ director of finance for an occupation license upon blanks or forms of return to be prepared and provided by the ~~clerk~~ director requesting such information as may be necessary to enable the ~~clerk~~ director to arrive at the lawful amount of the fee or tax. The taxpayer shall, in a legible manner, write in such blank or form of return the information required and shall sign the same by affidavit at the foot thereof, shall swear or affirm that the information therein given is full and true and that he knows the same to be so.

Section 27. Subsections 5.08.120(a) and (b) of the Kirkland Municipal Code are hereby amended to read as follows:

5.08.120 Taxpayer—Books and records required—Returns Confidential.

(a) It shall be the duty of each taxpayer taxed upon his gross income to keep and enter in a proper book or set of books or records an account which shall accurately reflect the amount of his gross

income, which account shall always be open to the inspection of the ~~city clerk~~ director of finance or his duly authorized agent and from which the officer or his agent may verify the return made by the taxpayer.

(b) The applications, statements or returns made to the ~~city clerk~~ director of finance pursuant to this chapter shall not be made public nor shall they be subject to the inspection of any person except the mayor, the city attorney, the ~~city clerk~~ director of finance or his authorized agent, and members of the city council.

Section 28. Section 5.08.130 of the Kirkland Municipal Code is hereby amended to read as follows:

5.08.130 City clerk Director of finance to investigate returns.

If any taxpayer fails to apply for license or make return, or if the ~~city clerk~~ director of finance is dissatisfied as to the correctness of the statements made in the application or return of any taxpayer, the officer or his authorized agent may enter the premises of such taxpayer at any reasonable time for the purpose of inspecting his books or records of account to ascertain the amount of the fee or tax or to determine the correctness of such statements as the case may be and may examine any person under oath administered by the officer or his agent touching the matters inquired into, or the officer or his authorized agent may fix a time and place for an investigation of the correctness of the return and may issue a subpoena to the taxpayer or any other person to attend upon such investigation and there testify, under oath administered by the officer or his agent, in regard to the matters inquired into and may, by subpoena, require him or any person to bring with him such books, records and papers as may be necessary.

Section 29. Section 5.08.140 of the Kirkland Municipal Code is hereby amended to read as follows:

5.08.140 Cost of audit.

Upon the failure or refusal of the taxpayer to furnish the information called for by the ~~city clerk~~ director of finance, or if the books and records of the taxpayer are complicated or do not readily disclose the information required for making a complete or satisfactory return without the assistance of a skilled accountant, then the ~~city clerk~~ director of finance may, in his discretion, employ a skilled accountant and such clerical assistance as is necessary to make an audit of the books and records of the taxpayer, and such expenses shall be collected from the taxpayer in the manner provided for the collection of the license or tax.

Section 30. Section 5.08.160 of the Kirkland Municipal Code is hereby amended to read as follows:

5.08.160 Over or under payment of tax.

If the ~~city-clerk~~ director of finance upon investigation or upon checking returns finds that the fee or tax paid or any of them is more than the amount required of the taxpayer, he shall refund the amount overpaid by a warrant upon the current expense fund. If the ~~city-clerk~~ director of finance finds that the fee or tax paid is less than required, he shall send a statement to the taxpayer showing the balance due, who shall, within three days, pay the amount shown thereon.

Section 31. Section 5.08.170 of the Kirkland Municipal Code is hereby amended to read as follows:

5.08.170 Remedy for nonpayment of tax.

If any taxpayer fails to apply for license or make his return or to pay the fee or tax therefor or the cost of any audit required by the ~~city clerk~~ director of finance or any part thereof within three days after the same shall have become due, the ~~city-clerk~~ director of finance shall ascertain the amount of the fee or tax or installment thereof and/or cost of audit due and shall notify such taxpayer thereof, who shall be liable therefor in any suit or action by the city for the collection thereof. The ~~city-clerk~~ director of finance shall also notify the city attorney in writing of the name of such delinquent taxpayer and the amount due from him, and the officer shall, with the assistance of the ~~city-clerk~~ director of finance, collect the same by any appropriate means or by suit or action in the name of the city.

Section 32. Section 5.08.180 of the Kirkland Municipal Code is hereby amended to read as follows:

5.08.180 Appeals to city council.

All taxpayers aggrieved by the amount of the fee or tax found by the ~~city-clerk~~ director of finance to be required under the provisions of this chapter may appeal to the city council from such finding by filing a written notice of appeal with the city clerk within five days from the time such taxpayer was given notice of such amount. The clerk shall, as soon as practicable, fix a time and place for the hearing of such appeal, which time shall be not more than ten days after filing of the notice of appeal, and he shall cause a notice of the time and place thereof to be delivered or mailed to the appellant. At such hearing the taxpayer shall be entitled to be heard and to introduce evidence in his own behalf. The city council shall thereupon ascertain the correct amount of the fee or tax by resolution, and the city clerk shall immediately notify the appellant thereof, which amount, together with costs of appeal, if appellant is unsuccessful therein, must be paid within three days after such notice is given.

The mayor of the city, or any councilman of the city, may, by subpoena, require the attendance thereat of any person and may also require him to produce any pertinent books and records. Any person

served with subpoena shall appear at the time and place therein stated and produce the books and records required, if any, and shall testify truthfully under oath administered by the mayor or any member of the city council in charge of the hearing on appeal as to any matter required of him pertinent to the appeal, and it is unlawful for him to fail or refuse to do so.

Section 33. Section 5.10.020 of the Kirkland Municipal Code is hereby amended to read as follows:

5.10.020 Procedure—Petition—Ballot title.

(a) A referendum petition seeking to repeal any city ordinance made subject to these referendum procedures by Section 5.10.010 shall be filed with the deputy city clerk within seven days of the passage of the ordinance sought to be repealed.

(b) Within ten days the deputy city clerk shall confer with the petitioner concerning the form and style of the petition, issue an identification number for the petition, and cause to be written a ballot title for the measure.

(c) The ballot title shall be posed as a question, so that an affirmative answer to the question and an affirmative vote on the measure result in the tax or tax rate increase being imposed, and a negative answer to the question and a negative vote on the measure results in the tax or tax rate increase not being imposed. The petitioner shall be notified of the identification number and ballot title within this ten-day period.

(d) After notification of the identification number and ballot title, the petitioner shall have thirty days in which to secure on petition forms the signatures of not less than fifteen percent of the registered voters of the city and to file the signed petitioners petitions with the city clerk.

(e) Each petition form shall contain the ballot title and the full text of the measure to be referred. The deputy city clerk shall verify the sufficiency of the signatures on the petitions. If sufficient valid signatures are properly submitted, the deputy city clerk shall cause the referendum measure to be submitted to the city voters at a general or special election held on one of the days provided in RCW 29.13.010, as determined by the Kirkland City Council, which election shall not take place later than one hundred twenty days after the signed petition has been filed with the deputy city clerk.

Section 34. Section 5.12.060 of the Kirkland Municipal Code is hereby amended to read as follows:

5.12.060 Counting number of admissions—Posting admission charge required.

Whenever a charge is made for admission to any place, a serially numbered or reserved seat ticket shall be furnished the person paying such charge unless written approval has been obtained from the city

clerk director of finance to use a turnstile or other counting device which will accurately count the number of paid admissions. The established price, any noncity tax, city tax, and total price at which every such admission ticket or card is sold shall be conspicuously and indelibly printed or written on the face or back of that part of the ticket which is to be taken up by the management of the place to which admission is gained. It is unlawful for any person to sell an admission ticket or card on which the name of the person conducting the event or the price is not so printed, stamped or written, or to sell or offer to sell an admission ticket or card at a price in excess of the price printed, stamped or written thereon. The admission tax due shall be based on the established price printed on each ticket. When a charge is made for admission, a sign must be posted in a conspicuous place on the entrance or ticket office which breaks down the admission charge as follows:

Established Price	_____
Non-City Tax	_____
City Tax	_____
Total Price	_____

Section 35. Section 5.12.070 of the Kirkland Municipal Code is hereby amended to read as follows:

5.12.070 Remittance of taxes collected.

Any person, including any municipal or quasi-municipal corporation, who receives any payment for any admission charge on which a tax is imposed by this chapter shall collect same from the person making the admission payment and shall remit the same to the ~~city~~ clerk director of finance as herein provided. The tax required to be collected under this chapter shall be deemed held in trust by the person required to collect the same until remitted to the clerk director of finance as herein provided. Any person required to collect the tax imposed under this chapter who fails to collect same or who collects the same but fails to remit the same to the clerk director of finance in the manner prescribed by this chapter shall be liable to the city for the amount of such tax and shall, unless the remittance be made as herein required, be guilty of a violation of this chapter, whether such failure be the result of his or its own act or the result of acts or conditions beyond his or its control. The tax imposed hereunder shall be collected from the person paying the admission charge at the time the admission charge is paid, and such taxes shall be remitted by the person collecting the tax to the clerk director of finance in monthly remittances on or before the fifteenth day of the month succeeding the end of the monthly period in which the tax is collected or received and accompanied by such reports as the clerk director of finance shall require; provided, however, that the clerk director of finance, for good cause shown, may extend the time for making and filing the return and remittance of the tax due. Payment or remittance of the tax

collected may be made by check unless payment or remittance is otherwise required by the clerk director of finance, but payment by check shall not relieve the one collecting the tax from liability for payment and remittance of the tax to the clerk director of finance unless the check is in the full and correct amount and until the check is honored. Any person receiving any payment for admission shall make out a return upon such forms and setting forth such information as the clerk director of finance may require, showing the amount of the tax upon admissions for which he is liable for the preceding monthly period, and shall sign and transmit the same to the city-clerk director of finance with a remittance for the amount; provided, however, that the clerk director of finance may in his discretion require verified annual returns from any person receiving admission payments setting forth such additional information as he may deem necessary to determine correctly the amount of tax collected and payable. If the return provided for herein is not made and the tax is not collected and paid within fifteen days after the end of the month in which the tax was collected, the city-clerk director of finance shall add a penalty of ten percent of the tax per month or a fraction thereof for each amount overdue, which shall be added to the amount of the tax due and remitted in the same manner. Whenever any theater, circus, show, exhibition, entertainment or amusement makes an admission charge which is subject to the tax herein levied and the same is of a temporary or transitory nature, or there exists a reasonable question of financial responsibility, of which the clerk director of finance shall be the judge, the clerk director of finance may require the report and remittance of the admission tax immediately upon the collection of the same, at the conclusion of the performance or exhibition, or at the conclusion of the series of performances or exhibitions or at such other times as the clerk director of finance shall determine; and failure to comply with any requirement of the clerk director of finance as to report and remittance of the tax as required shall be a violation of this chapter. Every person liable for the collection and payment of the tax imposed by this chapter shall keep and preserve for a period of five years all unused tickets, ticket manifests, books and all other records from which can be determined the amount of admission tax which he was liable to remit under the provisions of this chapter, and all such tickets, books and records shall be open for examination and audit at all reasonable times by the clerk director of finance or his duly authorized agent. Written permission may be granted by the city-clerk director of finance to destroy unused tickets prior to the expiration of the five-year period.

Section 36. Section 5.12.080 of the Kirkland Municipal Code is hereby amended to read as follows:

5.12.080 Certificate or registration—Fee—Posting.

Any person conducting or operating any place for entrance to which an admission charge is made, shall, on a form prescribed by

the clerk director of finance, make application to and procure from the city a certificate of registration, the fee for which shall be one dollar, which certificate shall continue valid until the thirty-first day of December of the year in which the same is issued. Such certificate of registration, or duplicate original copies thereof to be issued by the clerk director of finance without additional charge, shall be posted in a conspicuous place in each ticket or box office where tickets of admission are sold.

Section 37. Section 5.12.090 of the Kirkland Municipal Code is hereby amended to read as follows:

5.12.090 Certificate of registration—Application by other than owner, lessee, or custodian.

Whenever the applicant for a certificate of registration obtained for the purpose of operating or conducting a temporary or transitory amusement, entertainment or exhibition is not the owner, lessee or custodian of the buildings, lots or place where the amusement is to be conducted, the tax imposed by this chapter shall be reported and remitted as provided in Section 5.12.070 hereof by the person who is the owner, lessee or custodian, if not paid by the person conducting the amusement, entertainment or exhibition. The applicant for a certificate of registration in any case shall furnish the clerk director of finance with the application, with the name and address of the owner, lessee or custodian of the premises upon which the amusement is to be conducted, and such owner, lessee or custodian shall be notified by the clerk director of finance of the issuance of such certificate and of his joint liability for collection and remittance of such tax.

Section 38. Section 5.12.100 of the Kirkland Municipal Code is hereby amended to read as follows:

5.12.100 Clerk Director of finance to adopt rules.

The clerk director of finance shall have the power to adopt rules and regulations not inconsistent with the terms of this chapter for carrying out and enforcing the payment, collection and remittance of the tax herein levied; and a copy of the rules and regulations shall be on file and available for public examination in the clerk's director of finance's office. Failure or refusal to comply with any such rules and regulations is a violation of this chapter.

Section 39. Section 5.12.130 of the Kirkland Municipal Code is hereby amended to read as follows:

5.12.130 Applications and returns confidential.

The applications and returns made to the clerk director of finance pursuant to this chapter shall not be made public, nor shall they be subject to the inspection of anyone except the city manager, city attorney, city clerk director of finance or authorized agent, and

members of the city council; and it is unlawful for any person to make public or to inform another person as to the contents or any information contained in or to permit inspection of any application or return except as in this section authorized.

Section 40. Section 5.18.100 of the Kirkland Municipal Code is hereby amended to read as follows:

5.18.100 Collection and enforcement authority.

The city manager or the director of ~~administration and~~ finance as his delegate is authorized and directed to take all steps necessary and required, including the preparation and execution of any contracts or other agreements with King County, to establish the payment collection and enforcement procedures provided for in this chapter.

Section 41. Section 5.20.010 of the Kirkland Municipal Code is hereby amended to read as follows:

5.20.010 Authority to create or cancel specific city funds.

The director of ~~administration and~~ finance shall have the authority, without prior consent of the city council, to create or cancel a specific fund among the individual funds of the city.

Section 42. Section 5.20.020 of the Kirkland Municipal Code is hereby amended to read as follows:

5.20.020 Transfer of fund balance.

The director of ~~administration and~~ finance shall have the authority, without the prior consent of the city council, to transfer the balance of an individual city fund to one or more other individual city funds.

Section 43. Section 5.32.030 of the Kirkland Municipal Code is hereby amended to read as follows:

5.32.030 Procedure for audit of accounts payable and issuance of warrants in payment.

Before any city warrant may be drawn and issued for payment of claims, bills, invoices and other demands or obligations payable from the claims fund or any other fund, the claims or other requests for payment shall be audited by the department of ~~administration and~~ finance and a detailed summary thereof submitted to the city council for its approval at the next regular council meeting; provided that such warrants may be issued after audit and approval by the director of ~~administration and~~ finance and countersigned by the city manager but prior to approval by the city council, subject to the conditions set forth in Section 5.32.031 of this code.

Section 44. Section 5.32.031 of the Kirkland Municipal Code is hereby amended to read as follows:

5.32.031 Issuance of warrants before approval by city council.

As authorized by RCW 42.24.180, city warrants may be drawn and issued for payment of claims, bills, invoices and other demands or obligations after audit and approval by the director of ~~administration~~ and finance and countersigned by the city manager but prior to approval by the city council under the following conditions:

(1) The director of ~~administration and finance~~ and the city manager have each furnished to the city an official bond for the faithful discharge of their respective duties in an amount and in accordance with the provisions of Section 3.72.010 of this code;

(2) Contracting, hiring, purchasing and disbursing policies that implement effective internal control as adopted by the city council are and remain in effect;

(3) Documentation supporting each claim for which such warrants are issued is submitted to the city council for its approval at the council's next regularly scheduled public meeting; and

(4) If upon council review the council disapproves some claims for which such warrants have been issued, the director of ~~administration and finance~~ and the city manager shall jointly cause the disapproved claims to be recognized as receivables of the city of Kirkland and to pursue collection diligently until the amounts disapproved are either collected or until the legislative body is satisfied and approves the claims.

Section 45. Section 5.54.010 of the Kirkland Municipal Code is hereby amended to read as follows:

5.54.010 Established.

The director of ~~administration and finance, as city treasurer,~~ is directed to establish within the park and municipal reserve fund an account to be known as the pier and moorage improvement, maintenance and repair account. Said account shall be used solely for the improvement of the pier and moorage facilities provided by the city within the parks and street ends of the city situated within or adjacent to the Lake Washington shoreline within and without the city limits. For the purposes of this chapter, the word improvement shall include, but not be limited to, repair and maintenance of such facilities and the installation, construction and/or reconstruction of new or existing pier and moorage facilities.

Section 46. Chapter 5.69 of the Kirkland Municipal Code is hereby amended to read as follows:

**Chapter 5.69
PETTY CASH FUND**

5.69.010 Established.

The director of ~~administration and~~ finance is authorized to establish a petty cash fund not to exceed twenty-five thousand dollars, composed of two categories of cash, as follows:

(1) Petty cash - such amount as the director of ~~administration and~~ finance determines necessary for the making of minor authorized disbursements and the making of change, but not to exceed fifteen thousand dollars; and

(2) Eastside Narcotics Task Force - amount of cash contribution from city of Kirkland held by the Eastside Narcotics Task Force, but not to exceed ten thousand dollars.

5.69.020 Regulations conform to State Auditor's Office requirements.

The director of ~~administration and~~ finance is hereby authorized and directed to establish written regulations for the creation and operation of said petty cash requirements of the State Auditor's Office as set forth in BAR System Manual, Volume 1, Part 3, Chapter 3, Section E, page 23, effective date January 1, 1990.

Section 47. Section 5.73.010 of the Kirkland Municipal Code is hereby amended to read as follows:

5.73.010 Fund established.

The director of ~~administration and finance, as treasurer for the~~ city, is directed to establish a fund to be known as the "in lieu of park and open space fund." All moneys received by the city pursuant to Sections 2.5.9 and 3.5.11 of Ordinance 2178 (the subdivision ordinance) and pursuant to Sections 23.08.130(1) and 23.10.110(5) of Ordinance 2183 (the zoning code) shall be deposited in the fund created by this chapter. The director of ~~administration and~~ finance is further directed to transfer into said fund all moneys presently held in the "in lieu open space account" of the park and municipal facilities cumulative reserve fund.

Section 48. Section 5.76.010 of the Kirkland Municipal Code is hereby amended to read as follows:

5.76.010 Fund established.

The director of ~~administration and finance, as treasurer for the~~ city, is directed to establish a fund to be known as the "Real Estate Excise Tax Revenue Municipal Capital Improvement Fund." All moneys received by the city from the treasurer for King County in distribution of the one-quarter of one percent real estate excise tax imposed by the city pursuant to Chapter 5.18 of this code and

Chapter 49, Washington Laws 1982, First Ex. Sess., shall be deposited in the fund created by this chapter.

Section 49. Section 5.80.030 of the Kirkland Municipal Code is hereby amended to read as follows:

5.80.030 Bond issuance—Information to be included in issuing ordinance.

Registered bonds or other registered obligation may be issued in any denomination to represent several registered bonds or other obligations of smaller denominations and may permit the issuance of bonds or other obligations in denominations smaller than a larger denomination bond or obligations requested to be transferred. The ordinance authorizing the issuance of the bonds or other obligations shall provide for an authenticating trustee, which shall be one or more of the fiscal agencies of the state of Washington appointed in accordance with RCW Chapter 43.80, except that with respect to interest-bearing warrants, installment contracts, interest-bearing leases and other instruments or obligations not usually subject to trading, assignment or transfer, the director of ~~administration and~~ finance for the city may serve as the transfer agent, registrar or paying officer. Any transfer agent, registrar and paying agent or officer shall comply with all applicable federal and state laws and regulations respecting the carrying out of such duties. Unless provided for in the contract between the city and the fiscal agencies, each such ordinance authorizing the issuance of such bonds or other obligations shall specify the terms and conditions of making payments of principal and interest, for the provision of printing any physical instruments including the use of identifying numbers or other designations, the specifying of record and payment dates, the determination of denominations, the manner of communicating to the owners of such bonds or other obligations, the receipt of the physical instruments for payment of principal, the destruction of such instruments and the certification of such destruction, the registration and release of securing interests, and for such other matters pertaining to the registration of such bonds or other obligations authorized by such ordinance as the city may deem to be necessary or appropriate.

Section 50. Section 5.80.040 of the Kirkland Municipal Code is hereby amended to read as follows:

5.80.040 Contract with state as central depository—Registrar.

The director of ~~administration and~~ finance for the city is authorized to enter into a contract with the fiscal agency or agencies of the state of Washington in connection with the establishment and maintenance by such fiscal agency or agencies of a central depository system for the transfer or pledge of bonds or other obligations and for the services as authenticating trustee, transfer

agent, registrar and paying agent for such bonds and other obligations. Such contract shall define the rights and duties of such fiscal agency so acting and the means of compensation thereof. In addition, in lieu of making provisions in each ordinance authorizing the issues of bonds or other obligations, such contract may make specific provision for the procedures for payment, identification by numbers or other designations, the manner of issuance or reissuance of certificates, the manner of transfer, the manner of communication to owners of bonds or other obligations for accounting to the city and for canceled certificates of destruction, registration and release of securing interest and for such other matters as may be appropriate. Provided, however, that in instances where the fiscal agencies of the state of Washington serve as registrar, the city adopts by reference the contract between the state finance committee of the state of Washington and the fiscal agencies in lieu of executing a separate contract and prescribing by ordinance the rights, duties, obligations and compensation of the registrar. Further provided, that when the city director of ~~administration and finance~~ serves as registrar, a separate contract shall not be required.

Section 51. Section 5.82.040 of the Kirkland Municipal Code is hereby amended to read as follows:

5.82.040 County comptroller directed to distribute property taxes together with accrued interest on investments thereof.

The King County comptroller is authorized and directed to distribute to the director of ~~administration and finance~~, for and on behalf of the city of Kirkland, all property taxes collected as frequently as daily, and the comptroller is directed to distribute to the city all interest accrued on the investment thereof by the county at the time of the distribution of the property tax moneys to the city. The director of ~~administration and finance~~ is authorized to give a receipt therefor whenever funds are delivered to the city. Delivery may be in money or as a transfer of an investment authorized by RCW 36.29.020 made by the comptroller on behalf of the city.

Section 52. Section 7.02.050 of the Kirkland Municipal Code is hereby amended to read as follows:

7.02.050 Procedure.

(a) Application for business license shall be made in writing to the director of the department of ~~administration and finance~~ upon a form provided by the city, and the applicant shall, at the time, deposit with the director of ~~administration and finance~~, in advance, the license fee herein required. The application shall state the nature and address or addresses of the business or proposed business or businesses, the name and address of the owner or application, an emergency notification name and address, the type of business and

number of employees, together with such other information as requested by the director of ~~administration and~~ finance.

(b) If the applicant is a partnership, the application must be made by one of the partners; if a corporation, by one of the officers thereof; if a foreign corporation, partnership or nonresident individual, by the resident agent or local manager of the corporation, partnership or individual.

(c) The director of ~~administration and~~ finance, upon receipt of an application form with fee attached, shall cause an investigation and review of the application to be made by the proper city officials and shall issue or refuse to issue the license within fifteen days of the date of filing the application. Provided that, for applications filed during 1987, the director shall have forty-five days from the date of filing the application to either issue or refuse to issue a license.

(d) If an application is refused, the reason for refusal shall be set forth in writing and mailed to the applicant at the mailing address set forth in the application. The applicant may appeal such refusal to the city council by filing a notice of appeal within fourteen days of mailing by the director of the notice of refusal. Upon receipt of a notice of appeal, the city council shall provide for a hearing thereon in the same manner as is provided in Section 7.02.080 for hearing on revocation or suspension of license.

Section 53. Subsections 7.12.020(a) and (b) of the Kirkland Municipal Code are hereby amended to read as follows:

7.12.020 License fees.

(a) Amusement Devices. Every distributor as defined in Section 7.12.010(c) of amusement devices shall pay to the city an annual master license fee of two hundred fifty dollars per year payable in advance; owners or operators (as defined in Sections 7.12.010(e) and (f)) of such devices shall pay an annual license fee in the sum of one hundred dollars payable annually in advance to the ~~city-clerk~~ director of finance. In addition, any such distributor, owner, operator or other person shall pay an additional fee of twenty-five dollars per machine per year payable annually in advance.

(b) Every distributor, owner, or operator of cigarette vending machines doing business as such within the city shall pay an annual license fee in the sum of fifty dollars for a master license payable annually in advance to the ~~city-clerk~~ director of finance. Also, any distributor, owner, operator or user of such cigarette vending machines shall pay an additional sum of ten dollars per machine per year, payable annually in advance to the ~~city-clerk~~ director of finance.

It is further required that each cigarette vending machine in the city shall be equipped with an electric lock or device to be operated by the owner and/or employees only.

Section 54. Section 7.16.030 of the Kirkland Municipal Code is hereby amended to read as follows:

7.16.030 Inventory—Contents—False statements unlawful.

The inventory required for securing the license herein provided for shall contain a complete and accurate list of the stock of goods, wares and merchandise to be sold at any sale for which a license is hereby required, together with the wholesale price thereof, which inventory or list shall be signed by the person seeking the license or by a resident agent thereunto authorized; and by affidavit at the foot thereof, the applicant or his agent shall swear or affirm that the information therein given is full and true and known by him to be so. It is unlawful to sell, offer or expose for sale at any such sale, or to list on such inventory, any goods, wares or merchandise which are not the regular stock of the store or other place, the business of which is to be closed out by such sale, or to make any replenishments or additions to such stock for the purposes of such sale or during the time thereof, or to fail, neglect or refuse to keep accurate records of the articles or things sold, from which records the ~~city-clerk~~ director of finance may ascertain the number or the kind and quantity sold. Commingling of additional merchandise with that inventory shall cause the merchandise inventory to lose its identity as distressed goods, and any license issued shall cease to apply to the sale of such goods. If the inventoried stock shall be offered for sale on the same premises with other stock by the same person, firm or corporation, the same shall be deemed to be commingled.

Section 55. Section 7.16.040 of the Kirkland Municipal Code is hereby amended to read as follows:

7.16.040 License—Term—Fees.

All licenses issued for the sale of goods, wares or merchandise at auction, by sale of distressed goods or removal or closing-out sale shall be valid for a period of not exceeding thirty days unless renewed as hereinafter provided. The fee for such license is hereinafter provided. The fee for such license is fixed as follows: The sum of twenty-five dollars plus two dollars for each one thousand dollars or fraction thereof of value of inventory submitted pursuant to Sections 7.16.010 through 7.16.070. Upon expiration of the thirty-day period, the ~~city-clerk~~ director of finance may extend such license on a daily basis upon the payment of an additional license fee of twenty-five dollars per day, which license shall continue in effect only so long as this daily license fee is paid and the licensee shall comply with the provisions of Sections 7.16.010 through 7.16.070. Auction sales shall be subject to an additional license fee of twenty-five dollars per day and shall be limited to a period of not exceeding thirty days.

Section 56. Section 7.24.064 of the Kirkland Municipal Code is hereby amended to read as follows:

7.24.064 Access—Peace officer—Director.

All peace officers of the city and/or the director of the department of ~~administration and finance~~ shall have free access to public dances and dance halls when a dance is being conducted for the purpose of inspection and to enforce compliance with the provisions of Sections 7.24.060 through 7.24.066.

Section 57. Subsections 7.24.066(b) and (c) of the Kirkland Municipal Code are hereby amended to read as follows:

7.24.066 Indemnification.

(b) As a condition precedent to obtaining a license, the licensee shall, at no expense to the city, secure and maintain during the full term of this agreement general comprehensive liability insurance issued by one or more companies authorized to do business in the state of Washington, which insurance shall be subject to the approval of the city attorney as to company, form, coverage, and which insurance must fully protect the city from any and all claims and risks in connection with any activity performed by the licensee by virtue of this agreement and provide the following minimum coverage:

- (1) One million dollars per person, per occurrence;
- (2) One million dollars annual aggregate.

Said policy must specifically name the city of Kirkland as an additional insured party thereunder in the following manner:

The City of Kirkland is an additional insured for all coverages provided by this policy of insurance and shall be fully and completely protected by this policy and for any claim, suit, injury, death, damage or loss of any sort sustained by a person, organization or corporation in connection with any activity upon or use or occupancy of establishments regulated by this section.

The coverages provided by this policy to the City or any other named insured shall not be terminated, reduced, or otherwise changed in any respect without providing at least thirty (30) days' prior written notice to the Department of ~~Administration and Finance~~ of the City of Kirkland.

(c) The licensee shall deliver to the department of ~~administration and finance~~ of the city a copy of all policies required under this provision and all endorsements thereto or other evidence to the reasonable satisfaction of the department of ~~administration and finance~~ that the licensee has secured or renewed and is maintaining insurance as required by this section.

Section 58. Section 7.36.050 of the Kirkland Municipal Code is hereby amended to read as follows:

7.36.050 License—Fees.

Every pawnbroker, secondhand dealer or coin dealer, before commencing to carry on or conduct such a business within the corporate limits of the city, shall obtain a license for the operation of said business from the ~~city-clerk~~ director of finance and pay a license fee of one hundred dollars for one year. There shall be no prorating of the license fee. The license shall not be assignable.

Section 59. Section 7.48.035 of the Kirkland Municipal Code is hereby amended to read as follows:

7.48.035 Clerk Director of finance to adopt rules.

(a) The ~~city-clerk~~ director of finance shall have authority to adopt rules and regulations not inconsistent with the provisions of this chapter for carrying out and enforcing payment, collection and remittance of the taxes herein levied. A copy of the rules and regulations so adopted shall be on file and available for public examination in the ~~clerk's~~ director of finance's office. Failure or refusal to comply with any such rules and regulations is a violation of this chapter.

(b) Such administrative rules shall include the form of tax return required to be filed with the city at the time of payment of the gambling tax, and the procedures for when and how audit of the gambling licensee's records, for the purpose of verifying the tax return, may be conducted by the ~~city-clerk~~ director of finance.

Section 60. Subsection 7.56.030(1) of the Kirkland Municipal Code is hereby amended to read as follows:

7.56.030 Additional local regulations authorized by RCW 19.09.100(7).

A charitable solicitation to be conducted within the city shall conform to the following:

(1) Before commencing any charitable solicitation campaign, the person or organization soliciting such charitable contributions shall file with the department of ~~administration and~~ finance the following information:

(A) The beginning and estimated ending date for the solicitation campaign;

(B) The name, address and telephone number of the person or organization conducting the campaign, or making the solicitation for charitable contributions;

(C) A verification of the registration and filing of disclosure documents required by RCW Chapter 19.09, or, in the alternative, verification of exemption therefrom;

(D) The name of each person who will be acting as a charitable solicitor, or, in the alternative, a facsimile copy of the solicitor's identification, if such identification is to be furnished, by the

organization conducting the campaign, to each of its individual solicitors.

Section 61. Section 11.36A.180 of the Kirkland Municipal Code is hereby amended to read as follows:

11.36A.180 Copy of state statute on file.

The ~~director of administration and finance~~ city clerk shall maintain at all times as a public record of the city not less than one copy of RCW Chapter 10.99 for use by city officials and the general public.

Section 62. Subsection 11.84.030(b) of the Kirkland Municipal Code is hereby amended to read as follows:

11.84.030 Application for administrative inspection search warrant.

(b) It shall further be the duty of the appropriate official or department head or his lawful delegate to promulgate and modify from time to time and file with the ~~director of administration and finance~~ city clerk administrative standards for the frequency and conduct of such ordinance enforcement inspection. Such standards shall be based upon such factors as the nature of the premises or building or its use, information indicating existence of a hazard sought to be regulated by such ordinance or a violation thereof, the frequency of inspection under such program of enforcement by entry and inspection, and similar considerations relevant to the nature of the subject matter or the hazard regulated.

Section 63. Section 12.04.050 of the Kirkland Municipal Code is hereby amended to read as follows:

12.04.050 Parking meter and municipal permit and garage parking revenue.

The fee required to be paid for municipal garage parking and the coins required to be deposited in parking meters as provided in Chapter 12.44 are levied and assessed as fees to cover the costs of installations, inspections, supervision, regulation and maintenance involved in the control of traffic and parking upon the streets and municipal property; and the duly authorized agents of the director of ~~administration and finance~~ shall, from time to time, collect and deposit the same in a special fund for parking revenue, as directed by the director of ~~administration and finance~~.

Section 64. Section 15.04.060 of the Kirkland Municipal Code is hereby amended to read as follows:

15.04.060 City Manager.

"City manager" means the city manager, the director of public works, the operations and maintenance engineer, the director of ~~administration and finance~~ or any authorized agent, deputy or other person acting under the authority of the city manager.

Section 65. Section 15.04.080 of the Kirkland Municipal Code is hereby amended to read as follows:

15.04.080 Department of ~~administration and finance~~.

"Department of ~~administration and finance~~" means the person or persons designated by the city manager to collect water and sewer rates and charges.

Section 66. Subsection 15.12.064(4) of the Kirkland Municipal Code is hereby amended to read as follows:

15.12.064 Sewer capital facility charge adjustment.

(4) Upon determining the adjusted SCFC, the director of public works shall file with the director of ~~administration and finance~~ three copies of the adjusted fee schedule along with the values the fee schedule is based on. The director of finance ~~and administration~~ shall file said schedules and values with the ~~deputy~~ city clerk to be available for use by the general public and the affected city officials and departments.

Section 67. Subsection 15.14.020(c)(4) of the Kirkland Municipal Code is hereby amended to read as follows:

15.14.020 Water capital facility charges (WCFC).

(c)(4) Upon determining the adjusted WCFC, the director of public works shall file with the director of ~~administration and finance~~ three copies of the adjusted fee schedule along with the values the fee schedule is based on. The director of finance ~~and administration~~ shall file the schedules and values with the ~~deputy~~ city clerk to be available for use by the general public and the affected city officials and departments.

Section 68. Section 15.20.010 of the Kirkland Municipal Code is hereby amended to read as follows:

15.20.010 Person billed.

Charges for refuse, water and sewer services furnished by the city shall be billed to the owner of the property to which the services are rendered; provided, that when the owner and tenant in possession, in writing, file with the city a request that the billing be sent to the tenant, the city manager acting through the director of ~~administration and finance~~ may, at his discretion, grant such a

request subject to such reasonable conditions as he finds are appropriate. Notwithstanding to whom the billing is sent, the obligation for payment shall be the joint and several responsibility of the property owner and the tenant.

Section 69. Section 15.20.050 of the Kirkland Municipal Code is hereby amended to read as follows:

15.20.050 Bimonthly billing.

All charges for water services and for sewer services shall be billed to the customer by the city on a bimonthly billing cycle. Actual water consumption will be charged to the date of the meter reading. All charges for service will be from the beginning of one month to the end of the following month. All bills shall be paid to the department of ~~administration and finance.~~

Section 70. Subsection 15.44.020(d) of the Kirkland Municipal Code is hereby amended to read as follows:

15.44.020 Adoption by reference.

(d) A copy of the ordinance codified in subsection (c) and this subsection (d), including Exhibit A, shall be recorded in the office of the ~~director of administration and finance~~ city clerk, and copies shall be filed in the following city departments for the use of the general public and the affected departments of the city: department of public works, building department, department of planning and community development. Copies shall also be filed with such other local, county and state agencies as may be required by law.

Section 71. Section 15.44.030 of the Kirkland Municipal Code is hereby amended to read as follows:

15.44.030 Copies on file.

A copy of said publication shall be recorded in the office of the ~~director of administration and finance~~ city clerk as a part of this chapter, and copies shall be filed in the following city departments for use of the general public and the affected departments of the city: department of public works, building department, department of planning and community development. Copies shall also be filed with such other local, county and state agencies as may be required by law.

Section 72. Section 15.48.020 of the Kirkland Municipal Code is hereby amended to read as follows:

15.48.020 Adoption by reference.

The comprehensive water plan prepared, published and recommended by the Kirkland Department of Public Works under the title City of Kirkland Comprehensive Water Plan dated November 16, 1984, including the worded text and maps are by this reference adopted as the city of Kirkland comprehensive water plan for the Kirkland water system service area as described in Section 15.48.010 of this chapter.

The publication has been endorsed with the title and number of this ordinance, dated and signed by the mayor, attested to by the director of administration and finance (ex officio city clerk) and is incorporated in this chapter as a part of the ordinance codified in this chapter.

A copy of the publication shall be recorded in the office of the ~~director of administration and finance~~ city clerk as a part of this chapter, and copies shall be filed in the following city departments for the use of the general public and the affected departments of the city: department of public works, building department, department of planning and community development, and the department of fire services. Copies shall also be filed with those departments or agencies of the state of Washington as may be required by Section 248-54-580, Washington Administrative Code.

Section 73. Section 16.08.123 of the Kirkland Municipal Code is hereby amended to read as follows:

16.08.123 Procedure for issuance.

All applications (other than those processed under the alternate procedure set forth in Section 16.08.124) shall be referred to the director of ~~administration and finance~~ public works for consideration. Prior to such consideration, a copy of the application shall be furnished to the contractor for his review and recommendation.

The application, the recommendation of the contractor, and any recommendations submitted by any city department shall be considered by the director of ~~administration and finance~~ public works in determining whether such permit shall issue.

Any interested party (including the city) may appeal the determination of the director of ~~administration and finance~~ public works to the city civil hearing examiner by filing a written request for appeal within ten days of the director's decision with the office of the city clerk. The appeal shall, to the extent appropriate, follow the hearing examiner procedures of Sections 145.60, 145.70, 145.95 and 145.105 of Ordinance 2740.

Every owner's permit issued by the city, whether by the procedure in this section or the alternate procedure in the following section, shall identify the person authorized under the permit to transport the garbage or refuse, the general type of garbage or refuse to be transported, the location of the property from which it is to be

transported, the disposal site to which it is to be taken, and the name and address of the owner or occupant to whom the permit is issued.

Such permit shall further contain a warning statement concerning spillage and littering on public streets and highways, and may contain such additional conditions as may be required under the circumstances to protect the public health, safety and welfare.

Section 74. Section 16.12.010 of the Kirkland Municipal Code is hereby amended to read as follows:

16.12.010 Award of contract.

No later than one hundred fifty days prior to the expiration of any existing contract for garbage collection, the city shall commence preparation of specifications, and thereafter advertise and call for bids and from bids received award the contract for the collection and disposal of all solid waste within the city; provided, however, that the city council, by resolution, may authorize the city manager or the director of the department of ~~administration and finance~~ public works as his delegate to negotiate for the award of a new contract for garbage collection or the extension of any existing garbage collection contract. Upon the award of contract, the contractor shall furnish a corporate surety bond to the city in the sum of five hundred thousand dollars conditioned upon full and faithful performance of his contract and compliance with all laws, statutes, ordinances, rules and regulations relating to his business and the collection and disposal of solid waste. Such contract shall contain a prohibition against assignment thereof or transfer of any interest therein without consent of the city, and it shall contain a suitable provision providing for the forfeiture of the agreement for nonperformance of the terms and conditions of the contract and this title.

Section 75. Section 18.08.060 of the Kirkland Municipal Code is hereby amended to read as follows:

18.08.060 Assessments—Installments—Foreclosure.

Foreclosure of delinquent local and utility local improvement district assessments or installments thereof may be commenced by the methods provided in RCW Chapter 35.50.

The director of ~~administration and finance, as ex-officio city treasurer,~~ shall first give to the persons whose names appear on the assessment roll as owners of the property charged with the assessments or installments which are delinquent notice of commencement of foreclosure proceedings in the form and manner required by RCW 35.50.030.

The foreclosure proceedings shall then be commenced not less than thirty-five days nor more than sixty days after the date of mailing such notice; provided, however, that no foreclosure action shall be commenced after July 15th in any year.

Section 76. Section 19.24.080 of the Kirkland Municipal Code is hereby amended to read as follows:

19.24.080 Application requirements.

Any nonprofit public service organization which wants to conduct a temporary special event shall apply to the director of ~~administration and finance~~ administrative services for a permit at least forty-five days in advance of the date of the proposed temporary special event. In order that adequate arrangements may be made for the proper protection of the temporary special event and of the public attending same, as well as the general public, the application shall contain the following information:

- (1) The name of the applicant; the sponsoring organization; the temporary special event chairman, and the address and telephone number of each;
- (2) The purpose of the temporary special event; the date when it is proposed to be conducted; the location and the hours of operation, including site map or maps, schedule of events and location of events;
- (3) Such other information as the director of ~~administration and finance~~ administrative services may deem reasonably necessary.

Section 77. Section 19.24.090 of the Kirkland Municipal Code is hereby amended to read as follows:

19.24.090 Issuance or denial of the appeal.

In reviewing the application for the purpose of determining whether the permit should be issued or denied, the director of ~~administration and finance~~ administrative services may seek consultation with other city officials and shall make such review in conformance with the following standards:

(1) Standards for Issuance. The director of ~~administration and finance~~ administrative services shall issue a temporary special event permit conditioned upon the applicant's written agreement to comply with the terms of such permit, unless the director of ~~administration and finance~~ administrative services finds that:

- (A) The time, hours, location and size of the temporary special event will unnecessarily disrupt the movement of other traffic within the city;
- (B) The location of the temporary special event would cause undue hardship for adjacent businesses or residents;
- (C) The temporary special event is of a size or nature that requires the diversion of so great a number of police officers of the city to properly police the event, site and areas contiguous thereto that allowing the special event would unreasonably deny police protection to the remainder of the city and its residents;
- (D) Failure to arrange for or to remit by the applicant or person conducting or sponsoring the same all fees, charges, deposits, taxes, insurance or bonds, if any, required by the city, including any

department thereof, for the use of the public place where it is proposed to conduct or to hold such special event;

(E) The city resources required to support the special event are out of proportion to the reimbursed expenses to be received by the city from the holding of the special event.

(2) Standards for Denial. The director of ~~administration and finance~~ administrative services shall deny any application for a temporary special event and notify the applicant of such denial where:

(A) The director of ~~administration and finance~~ administrative services makes any finding contrary to the findings required to be made for the issuance of a permit as set forth in paragraph 1 of this section;

(B) The information contained in the application is found to be false or nonexistent to a material degree;

(C) The applicant refuses to agree to abide by or to comply with all of the conditions and terms of the permit;

(D) It is found that the purpose of the temporary special event is principally devoted to the advertising of a commercial product or for a private commercial process.

Section 78. Section 19.24.100 of the Kirkland Municipal Code is hereby amended to read as follows:

19.24.100 Officials to be notified.

Immediately upon application for a permit for a temporary special event, the director of ~~administration and finance~~ administrative services shall send a copy thereof to the following:

- (1) The city manager;
- (2) The director of fire services;
- (3) The chief of police;
- (4) The director of public works;
- (5) The director of the department of parks and recreation.

Section 79. Section 19.24.100 of the Kirkland Municipal Code is hereby amended to read as follows:

19.24.110 Revocation of permit.

Any permit for a temporary special event issued pursuant to this chapter may be summarily revoked by the director of ~~administration and finance~~ administrative services for the city at any time when, by reason of disaster, public calamity, riot or other emergency, the director of ~~administration and finance~~ administrative services determines that the safety of the public or property requires such revocation. Notice of such action revoking a permit shall be delivered in writing to the permittee by personal service or certified mail at the address specified by the permittee in his application.

Section 80. Section 19.24.120 of the Kirkland Municipal Code is hereby amended to read as follows:

19.24.120 Contents of permit.

In each permit issued by the director of ~~administration and finance~~ administrative services for the city there shall be specified each condition subject to which the permit is issued. The permit shall not be issued until the director of ~~administration and finance~~ administrative services is satisfied that all other required permits and licenses required by the city for the temporary special event activities have been obtained.

Section 81. Section 19.24.130 of the Kirkland Municipal Code is hereby amended to read as follows:

19.24.130 Parade, run, motorcade and street dance permit required.

No person shall conduct a parade, run, motorcade or street dance in or upon any public street, sidewalk, alley or other public right-of-way or publicly owned property within the city unless or until a permit to conduct such parade, run, motorcade or street dance has been obtained from the director of ~~administration and finance~~ administrative services for the city.

Section 82. Section 19.24.140 of the Kirkland Municipal Code is hereby amended to read as follows:

19.24.140 Parade, run, motorcade or street dance for commercial purpose prohibited.

No permit shall be issued authorizing the conduct of a parade, run, motorcade or street dance which the director of ~~administration and finance~~ administrative services finds is proposed to be held for the sole purpose of advertising any product, goods, wares, merchandise or commercial event and is designed to be held purely for private profit.

Section 83. Section 19.24.180 of the Kirkland Municipal Code is hereby amended to read as follows:

19.24.180 Application for permit.

Any person who wants to conduct a parade, run, motorcade or street dance shall apply to the director of ~~administration and finance~~ administrative services for the city for a permit at least thirty days in advance of the date of the proposed parade, run, motorcade or street dance. The director of ~~administration and finance~~ administrative services for the city may, in his discretion, consider any application for a permit to conduct a parade, run, motorcade or street dance which is filed less than thirty days prior to the date on which such parade, run, motorcade or street dance is to be conducted; provided, however, that such time limit shall be waived by the director of ~~administration and finance~~ administrative services only in the event of an

unexpected occasion, or in the case of a parade approved by proclamation of the mayor. The application for such permit shall be made in writing on a form approved by the director of ~~administration and finance~~ administrative services for the city. In order that adequate arrangements may be made for the proper protection of the parade, run, motorcade or street dance and the general public, the application shall contain the following information:

- (1) The name of applicant; the sponsoring organization; the parade, run, motorcade or street dance chairman, and the address and telephone numbers of each;
- (2) The purpose of the parade, run, motorcade or street dance; the date when it is proposed to be conducted; the location of the assembly area; the number of participants anticipated; the location of the disbanding area; the proposed route to be traveled and the approximate time that the parade, run, motorcade or street dance will assemble, start and terminate;
- (3) A general description of the units anticipated to participate, such as floats, vehicles, bands and sound amplification equipment;
- (4) Such other information as the director of ~~administration and finance~~ administrative services deems reasonably necessary.

Section 84. Section 19.24.190 of the Kirkland Municipal Code is hereby amended to read as follows:

19.24.190 Issuance or denial of permit.

In determining whether to grant or deny the permit applied for, the director of ~~administration and finance~~ administrative services shall be guided by the following standards:

- (1) Standards for Issuance. The director of ~~administration and finance~~ administrative services of the city shall issue a parade, run, motorcade or street dance permit conditioned upon the applicant's written agreement to comply with the terms of such permit, unless the director of ~~administration and~~ administrative services finds that:
 - (A) The time, route or location and size of the parade, run, motorcade or street dance will unreasonably disrupt the movement of the normal and usual traffic within the city;
 - (B) The parade, run, motorcade or street dance is of a size or nature that requires the diversion of so great a number of police officers of the city to properly police the parade, run, motorcade or street dance and the areas contiguous to the location or route thereof that allowing the parade, run, motorcade or street dance would unreasonably deny police protection to the remainder of the city;
 - (C) Such parade, run, motorcade or street dance will interfere with another parade, run, motorcade or street dance for which a permit has previously been issued or requested;
 - (D) Failure to remit by the applicant or person conducting or sponsoring the parade, run, motorcade or street dance all fees, charges, deposits, taxes, insurance or bonds, if any, required by the city, including any department thereof, for the use of the public places

where it is proposed to hold such parade, run, motorcade or street dance.

(2) Standards for Denial. The director of ~~administration and finance~~ administrative services for the city shall deny an application for a parade, run, motorcade or street dance permit and notify the applicant of such denial where:

(A) The director of ~~administration and finance~~ administrative services makes any finding contrary to the findings required to be made for the issuance of a permit as set forth in paragraph 1 of this section;

(B) The information contained in the application is found to be false or nonexistent to any material degree;

(C) The applicant refuses to agree to abide by or comply with all of the conditions and terms of the permit;

(D) It is found that the purpose of the parade, run, motorcade or street dance is principally devoted to the advertising of a commercial product or for a private commercial process.

Section 85. Section 19.24.200 of the Kirkland Municipal Code is hereby amended to read as follows:

19.24.200 Contents of permit.

In each permit issued by the director of ~~administration and finance~~ administrative services for the city there shall be specified:

- (1) The assembly area and time therefor;
- (2) The starting time;
- (3) The location of the street dance or, if applicable, the route of the parade, run or motorcade;
- (4) The portions of the street to be traversed and which may be occupied by such parade, run, motorcade or street dance. All traffic barricades and signs shall be furnished by the permit holder;
- (5) The disbanding area and the disbanding time;
- (6) The number of persons required to monitor the parade, run, motorcade or street dance;
- (7) That all decorative materials used in parade floats shall be fire-resistive or flame-retardant. All motorized floats shall be provided with an approved portable fire extinguisher of at least 2-A, 10:B:C rating and readily accessible;
- (8) That the permittee shall advise the participants in the parade, run, motorcade or street dance of the terms and conditions of the permit prior to the commencement of such parade, run, motorcade or street dance;
- (9) That the parade, run or motorcade continues to move at a fixed rate of speed and that any willful delay or willful stopping of said parade, run or motorcade, except when reasonably required for the safety and orderly conduct of the parade, run or motorcade, shall constitute a violation of the permit;
- (10) That the vehicles and floats used in the parade or motorcade may be subject to a safety inspection by the police

department and/or fire department. If found unsafe, such vehicles and floats may not participate in the parade or motorcade;

(11) Such other requirement as are found by the ~~clerk~~ director of administrative services to be reasonably necessary for the protection of persons or property;

(12) Special Limitation on Number of Floats—School Parades. If a parade or motorcade is to be held in conjunction with any activity of a school or college, such parade or motorcade shall be limited to no more than thirty cars and/or floats.

Section 86. Section 19.24.210 of the Kirkland Municipal Code is hereby amended to read as follows:

19.24.210 Officials to be notified.

Immediately upon application for a permit for a parade, run, motorcade or street dance, the director of ~~administration and finance~~ administrative services of the city shall send a copy thereof to the following:

- A. The city manager;
- B. The director of fire services;
- C. The chief of police;
- D. The director of public works;
- E. The director of parks and recreation.

Section 87. Section 19.24.230 of the Kirkland Municipal Code is hereby amended to read as follows:

19.24.230 Indemnity performance bond.

No permit shall be issued for a parade, run, motorcade, street dance or temporary special event until the permittee shall file with the director of ~~administration and finance~~ administrative services a performance bond conditioned upon payment to the city of any costs reasonably anticipated to be incurred in removing debris, litter or papers from the street or other material deposited thereon as a result of said parade, run, motorcade, street dance or temporary special event; provided that the director of ~~administration and finance~~ administrative services, in his discretion, may, in appropriate cases, make a specific finding that such a bond is not necessary at the time of the issuance of such permit and waive said bond.

Section 88. Section 19.24.240 of the Kirkland Municipal Code is hereby amended to read as follows:

19.24.240 Insurance required.

The director of ~~administration and finance~~ administrative services of the city shall not issue a permit pursuant to either Article II or Article III of this chapter until the applicant obtains liability insurance with limits of not less than one million dollars for personal injury to any one person and two million dollars for personal injury growing out of any

one incident or occurrence, and limits in the amount of one million dollars for property damage sustained by any one person and two million dollars for property damage growing out of one incident or occurrence. A specimen copy of such policy shall be filed with the director of ~~administration and finance~~ administrative services and shall name the city as an additional name insured. The director of ~~administration and finance~~ administrative services, in his discretion, may, in appropriate cases, make a specific finding that the insurance limits are in excess of the reasonable risk, and in such circumstances may reduce the required insurance limits, provided that such reduction is no more than fifty percent of the amounts set forth in this section.

Section 89. Section 19.24.250 of the Kirkland Municipal Code is hereby amended to read as follows:

19.24.250 Save harmless agreement.

At the time that a permit is issued pursuant to either Article II or Article III of this chapter, the permittee shall file with the director of ~~administration and finance~~ administrative services a save harmless agreement in which the permittee agrees to defend, pay and save harmless the city, its officers and employees from any and all claims, real or imaginary, which may be filed against the city, its officers and employees where such claim arises in whole or in part out of the activities for which such permit is issued; excepting therefrom any claims arising solely out of the negligent acts or omissions of the city, its officers and employees.

Section 90. Section 19.24.260 of the Kirkland Municipal Code is hereby amended to read as follows:

19.24.260 Appeal procedure.

Upon denial by the director of ~~administration and finance~~ administrative services of the city of an application made pursuant to either Article II or II of this chapter, the applicant may appeal from the determination of the director of ~~administration and finance~~ administrative services within five days thereafter to the city council of the city by filing a written notice of appeal for hearing by the city council at a regular meeting. The city council shall hear and consider such appeal not later than twenty-one days following the date of filing the appeal. Upon such appeal, the city council may reverse, affirm or modify in any regard the determination of the director of ~~administration and finance~~ administrative services.

In the event an application is not filed within the required time, the applicant may request a waiver of such requirement from the director of ~~administration and finance~~ administrative services. Should the director of ~~administration and finance~~ administrative services decline to waive the requirement, the applicant may approach the city council at its next regular meeting to make an appeal. The city council, if it

finds unusual circumstances and in the exercise of its sound discretion, may waive such requirement.

Section 91. Section 19.24.270 of the Kirkland Municipal Code is hereby amended to read as follows:

19.24.270 Revocation of permit.

Any permit issued pursuant to Article II or III of this chapter may be summarily revoked by the director of ~~administration and finance~~ administrative services at any time when, by reason of disaster, public calamity, riot or other emergency, the director of ~~administration and finance~~ administrative services determines that the safety of the public or property requires such revocation. Notice of such action revoking a permit shall be delivered in writing to the permittee by personal service or certified mail at the address specified by the permittee in his application.

Section 92. Section 19.24.290 of the Kirkland Municipal Code is hereby amended to read as follows:

19.24.290 Permit application fee.

An application fee shall be paid to the city at the time of filing an application for any permit required by this chapter. Such fees are nonrefundable. The application fee for a permit pursuant to Article II is one hundred dollars. The application fee for a permit pursuant to Article III is fifty dollars, provided that the fee for parade approved by mayoral proclamation may be waived by the director of ~~administration and finance~~ administrative services.

Section 93. Section 21.04.010 of the Kirkland Municipal Code is hereby amended to read as follows:

21.04.010 Copies of code on file.

Pursuant to state law (RCW Chapter 19.27), the Kirkland Building Code is the Washington State Building Code as modified in this title. The Washington State Building Code is composed of the following elements, and the city shall at all times keep on file with the ~~director of administration and finance~~ city clerk, for reference by the general public, not less than three copies of the codes and resolutions, or parts thereof, as herein adopted by reference, together with the amendments and supplements thereto, herein made a part of this title:

- (1) Uniform Building Code and Standards, issued by the International Conference of Building Officials, 1994 Edition;
- (2) Uniform Housing Code, issued by the International Conference of Building Officials, 1994 Edition;
- (3) Uniform Sign Code, issued by the International Conference of Building Officials, 1994 Edition;

(4) Uniform Plumbing Code, issued by the International Association of Plumbing and Mechanical Officials, 1991 Edition;

(5) Uniform Mechanical Code, issued by the International Conference of Building Officials, 1994 Edition;

(6) Uniform Code for the Abatement of Dangerous Buildings, issued by the International Conference of Building Officials, 1994 Edition;

(7) Uniform Fire Code and Standards, issued by the International Fire Code Institute, 1994 Edition;

(8) All amendments, supplements, modifications, exclusions, exemptions and additions to the code identified in subparagraphs (1) through (7) above adopted by the Washington State Building Code Council and published in Title 51, Washington Administrative Code, including, but not by way of limitation, WAC Chapters 51-11, 51-13, 51-26, 51-32, 51-34, 51-30, provided that Section 1006.3 of WAC 51-30-1006 is not adopted.

The copies of codes on file may be placed by the director of ~~administration and finance~~ city clerk in the custody of the office of the building official in order to make them more readily available to inspection and use by the general public.

Section 94. Section 21.04.020 of the Kirkland Municipal Code is hereby amended to read as follows:

21.04.020 Interpretation.

Whenever the following words appear in the codes adopted by reference in this title, they are to be interpreted as follows:

(1) "Administrative Authority" as "Building Official";

(2) "Chief or Director of Fire Services" as "Fire Chief";

(3) "Corporation Counsel" as "City Attorney or designee";

~~(4) "City Treasurer" as "Director of Administration and Finance";~~

(4) "Local Zoning Code" as the "City of Kirkland Zoning Code (Ordinance 2740, as amended)";

(5) "Municipality, and the Jurisdiction" as "The City of Kirkland."

Whenever reference is made to local authority, codes, jurisdiction and similar concepts, within the codes adopted by reference in this title, interpretations rendered by such reference shall apply to the city jurisdiction and authority.

Section 95. Section 21.28.040 of the Kirkland Municipal Code is hereby amended to read as follows:

21.28.040 Report on costs and expense.

Section 901 of the Uniform Code for the Abatement of Dangerous Buildings is amended to read as follows:

Section 901. The Building Official shall keep an itemized account of the expenses incurred by the City in the repair or demolition of any building done pursuant to the provisions of Section 701.3.3 of this

Code. Upon the completion of the work of repair or demolition, the Building Official shall prepare and file with the Director of ~~Administration and Finance~~ Administrative Services a report specifying the work done, the itemized and total cost of the work, including an administration and collection fee in the amount of two hundred (200) dollars to cover the cost of publication, recording, and service of all notices and the cost incurred by the City in the collection of the assessment or obligation as determined by Section 905 of this Code, a description of the real property upon which the building or structure is or was located, and the names and addresses of the persons entitled to notice pursuant to Section 401.3.

Section 96. Section 21.28.050 of the Kirkland Municipal Code is hereby amended to read as follows:

21.28.050 Collection of assessment.

Section 909 of the Uniform Code for Abatement of Dangerous Buildings is amended to read as follows:

A copy of the ordinance confirming the special assessment shall be filed with the ~~Department of Administration and Finance~~ city clerk. A certified copy of said ordinance shall be recorded with the King County Department of Elections and Records. The Director of ~~Administration and Finance~~, upon receipt of said ordinance, shall proceed to collect the special assessment in the same manner as local improvement district assessments, including installments thereof, are collected; provided, however, that the thirty days prepayments notice need not be published but shall be mailed to the owner of record.

Sections 910 and 911 of the Uniform Code for the Abatement of Dangerous Buildings hereinabove adopted by reference, being inconsistent with the procedure for collection of assessments herein established, are repealed.

Section 97. Section 21.70.010 of the Kirkland Municipal Code is hereby amended to read as follows:

21.70.010 Copies of codes on file.

The city shall at all times keep on file with the ~~director of administration and finance~~ city clerk, for reference by the general public, not less than three copies of the codes and resolutions, or parts thereof, as herein adopted by reference, together with the amendments and supplements thereto herein made a part of this chapter.

The copies of codes on file may be placed by the ~~director of administration and finance~~ city clerk in the custody of the office of the building official in order to make them more readily available for inspection and use by the general public.

Section 98. Section 21.70.030 of the Kirkland Municipal Code is hereby amended to read as follows:

21.70.030 Interpretation

Whenever the following words appear in the codes adopted by reference in this title, they are to be interpreted as follows:

- (a) "Administrative authority" as "building official."
- (b) "Chief or director of fire services" as "fire chief."
- (c) "Corporation counsel" as "city attorney or designee."
- ~~(d) "City treasurer" as "director of administration and finance."~~
- (d) "Local zoning code" as the "city of Kirkland Zoning Code (Ordinance 2740, as amended)."
- (e) "Municipality," and "the Jurisdiction" as "the city of Kirkland."
- (f) Whenever reference is made to local authority, codes, jurisdiction, and similar concepts within the codes adopted by reference in this chapter, such reference shall apply to the city of Kirkland.

Section 99. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.

Section 100. This Ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.107, Kirkland Municipal Code, in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 18th day of February, 1997.

Signed in authentication thereof this 18th day of
February, 1997.=

Ronald H. Esley
MAYOR

Attest:

Harold Anderson
Acting City Clerk

Approved as to form:

Paul Gouff
City Attorney

ordVA&F

PUBLICATION SUMMARY
OF ORDINANCE NO. 3573

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE SEPARATION OF THE DEPARTMENT OF ADMINISTRATION AND FINANCE INTO THE DEPARTMENT OF ADMINISTRATIVE SERVICES AND THE DEPARTMENT OF FINANCE AND THE ASSIGNMENT OF DEPARTMENTAL RESPONSIBILITIES TO EACH NEW DEPARTMENT.

SECTION 1. Amends Section 3.08.020 to add the Director of Administrative Services and the Director of Finance as City positions, the salaries of which are to be set forth in the annual budget.

SECTION 2. Repeals Chapter 3.12 of the Kirkland Municipal Code entitled "Director of Administration and Finance."

SECTION 3. Amends Chapter 3.16.030 to create a Department of Administrative Services.

SECTION 4. Adds a new Section 3.16.035 to the Kirkland Municipal Code creating a Department of Finance.

SECTION 5. Sections 5 through 98 assign departmental responsibilities to the Department of Administrative Services and the Department of Finance.

SECTION 6. Section 99 contains a savings clause.

SECTION 7. Section 100 authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its regular meeting on the 18th day of February, 1997.

I certify that the foregoing is a summary of Ordinance 3573 approved by the Kirkland City Council for summary publication.

Acting City Clerk
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