

Ordinance No. 123090

Council Bill No. 116612

AN ORDINANCE related to farmers markets; stating the Seattle City Council's findings regarding the economic impacts of farmers markets; adopting and authorizing the establishment of a program regarding farmers markets; amending the current Department of Parks and Recreation (Parks) fee schedule (Attachment 1 to Ordinance No. 122850) and the current Seattle Department of Transportation (SDOT) fee schedule (Exhibit A to Ordinance No. 122295) to clarify the appropriate application of certain Parks and SDOT permit fees to farmers markets participating in the program; amending SMC 11.26.260C in order to exempt farmers markets from service parking permits; amending SMC 22.602, Schedule B, Table 22.602.045B, in order to establish certain Seattle Fire Department (SFD) permit codes and fees for farmers markets participating in the program; amending SMC 3.14.620 to clarify that the Director of the Office of Economic Development (OED) has authority to adopt rules; authorizing and directing the OED to adopt rules implementing this ordinance; and ratifying and confirming certain prior acts.

CF No. _____

Date Introduced:	8.10.09	
Date 1st Referred:	To: (committee)	
Date Re - Referred:	Housing + Economic Development	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote:	
9-21-09	90	
Date Presented to Mayor:	Date Approved:	
9-22-09	9-24-09	
Date Returned to City Clerk:	Date Published:	T.O. <input type="checkbox"/>
9-24-09	10	F.T. <input checked="" type="checkbox"/>
Date Vetoes by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: Richard F. McCreary
Councilmember

Committee Action:

9-16-09

BH - Pass ~~as Amended~~

BH - Pass ~~as Amended~~

9-21-09 Passed 90

This file is complete and ready for presentation to Full Council. Committee: _____ (initial/date)

Law Department

Law Dept. Review

OMP Review

City Clerk Review

Electronic Copy Loaded

Indexed

1 WHEREAS, SFD is authorized to charge a variety of permit fees, including those authorized by
2 SMC Section 22.602 and its attached schedules, which do not include a specific reference
3 to particular permits for farmers markets; and

4 WHEREAS, the City wishes to adopt and authorize the establishment of the program; NOW
5 THEREFORE,

6 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

7 Section 1. The City Council makes the following legislative findings regarding the
8 economic impacts of farmers markets on Seattle.

- 9 1. The City has a substantial interest in identifying stable locations for farmers markets because
10 they are extremely popular in the neighborhoods and provide valuable public benefits.
11 The markets provide fresh regionally produced farm products directly to consumers who
12 shop in neighborhood business districts. Other public benefits brought by these simple,
13 popular markets include: improved access to high quality fresh fruits and vegetables;
14 increased use of adjacent City-owned property or rights-of-way for desirable purposes
15 such as pedestrian and recreational uses; the provision of a regular gathering place for
16 people to interact in their neighborhood business districts; increased commerce for
17 adjacent businesses due to greater pedestrian traffic on market days; and preservation of
18 local farm land from redevelopment. Regional small farmers report that neighborhood
19 farmers markets have become a vitally important source of revenue that enables them to
20 keep their farms in production.
- 21 2. City-owned properties or rights-of-way located in or near neighborhood business districts are
22 often the most stable sites for farmers markets because they are not subject to
23 redevelopment pressures. Examples of these types of properties include temporary use
24 of Parks properties, SDOT street closures, and properties controlled by FFD and they are
25 the most suitable publicly-owned sites upon which to locate regularly recurring farmers
26 markets.
- 27 3. A major barrier to using City-owned property or rights-of-way for such farmers markets has
28 been the manner in which certain fees have been computed for regularly recurring
farmers markets. Regularly recurring farmers markets use public property or rights-of-
way in substantially the same manner each time, so certain fees should, as provided
below, be calculated on an annual rather than a weekly or other "per use" basis.

Section 2. The City hereby adopts and authorizes the establishment of a Farmers Market
Program which was first operated as the Farmers Market Pilot Program described in Multi-



1 Departmental Administrative Rule (MDAR) 09-01 (Attachment A). Parks, SDOT, SFD, and
2 OED are authorized to continue implementing the farmers market program described in MDAR
3 09-01, including the authority to interpret and apply the applicable fee schedules and to waive or
4 assess certain fees in the manner described in the rule. OED shall have primary responsibility
5 for administering the program. The Director of OED is authorized and directed to adopt, and if
6 necessary amend, additional administrative rules implementing the program. Farmers markets
7 that wish to participate in the program shall submit applications to OED on forms developed for
8 that purpose. OED shall process the applications, determine initial eligibility, coordinate the
9 issuance of necessary permits, and periodically verify participating farmers markets' ongoing
10 eligibility to participate in the program. Participating farmers markets shall promptly notify
11 OED of any material changes in their operations that might affect their eligibility to participate in
12 the program.
13
14

15 Section 3. Parks Permits. The Parks 2009-2010 Fee Schedule, Attachment 1 to
16 Ordinance No. 122850, is amended as follows:

17 * * *

18
19 **PERMITS**

20 **USE PERMITS**

21 Use Permits authorize non-department groups to utilize Department of Parks and Recreation
22 property for special events (i.e., runs, boating, concerts, day camps, community festivals,
23 rallies, commercials, etc.).

24 • **General Provisions**

25 NOTE: Insurance and/or a performance bond may be required except as limited by the First
26 Amendment for political or religious activities as provided by SMC 18.12.045 or by
27 applicable rules. An application fee will be collected upon formal written application. This
28 fee is non-refundable, except when the Department denies a request.



2009	2010	
\$50.00	\$50.00	Application fee – First Amendment Events, including political and religious activities.
\$75.00	\$75.00	Standard Application fee – Use Permits (i.e., runs, boating, concerts, day camps, community festivals, rallies, commercials, etc.)
\$10.00	\$10.00	Booth fee – As part of a special event, a charge of \$10.00 per booth or 10% of gross sales, whichever is greater.
10% of gross income	10% of gross income	If, in the course of the activity/event, charges are levied for admission, sales, or entry fees, the user will be subject to a minimum charge of 10% of the gross receipts.
\$10.00	\$10.00	Load/Unload fee, per vehicle – for short-term access into non-parking areas or those areas accessed through a locked gate or bollard.
\$55.00	\$55.00	Utility hook-up fee – for any utility hook-up performed by Department personnel.
\$75.00	\$75.00	Supplemental Late Application Fee – for requests submitted less than 6 working days before event. (Fee does not apply to First Amendment events)
\$100.00	\$100.00	Minimum, per surface (advertising banner, canopy/tent wall, sign, vehicle surface, inflatables, other) per day – for posting commercial signage in a park in conjunction with a special event. (Maximum fees are subject to negotiations.)

Note: Farmers Markets Program.

The current 2009-2010 fee schedule shall be applied to regularly recurring farmers markets, as that term is defined in applicable rules, as follows:

An annual Standard Application Fee is required at a fee of \$75;

An hourly use fee of \$10, with a five hour minimum, shall apply;

The fees described above as a “booth fee” and as “10% of gross income” shall not apply;

If Parks reasonably determines that a Parks event staff person is required to be present in order to monitor the use, the standard fee of \$20 per hour shall apply; and

Other Parks fees such as for electrical utility hookups shall apply as provided in the table above.



Section 4. SDOT Street Use Permits. SDOT's Fee Schedule, Exhibit A to Ordinance

No. 122295, is amended as follows:

Exhibit A: Street Use Permit Fee Schedule, Effective January 1, 2007

<i>Activities that use the public Rights-of-Way and that block mobility</i>					
Use Code	Use Description	Base Permit Fee	Franchise and Utility Map Surcharge	Occupation Fee (Long Term)	Use Fee (Short Term)
3A		\$101	\$30	N/A	ON NON-ARTERIAL mo 1=no fee, mo2&3=\$.10/sf/10d mo4&5=\$.20/sf/10d mo6&7=\$.40/sf/10d mo8&9=\$.80/sf/10d mo10+=\$1.20/sf/10d in mo 10+ up to \$.20/sf/10day credit for mobility mitigation ON ARTERIAL mo1=\$.10/sf/10d mo2=\$.20/sf/10d mo3=\$.40/sf/10d mo4=\$.80/sf/10d mo5=\$1.20/2f/10d in mo5+ up to \$.20/sf/10d credit for mobility mitigation
<u>3B**</u>	<u>Farmers Market Program</u>	<u>\$101</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>

* * *

Section 5. SDOT Traffic Service Parking Permits. Section 11.26.260 of the Seattle

Municipal Code, which section was last amended by Ordinance 120994, is amended as follows:

11.26.260 Service parking permit – Fee – Time period

* * *



1 C. As to on-street service parking permits, those nonprofit, tax-exempt organizations currently
2 recognized by the United States of America as exempt from federal taxation pursuant to Section
3 501(c) (1) or (3) of the Internal Revenue Code of 1954, 26 U.S.C., Section 501, as now hereafter
4 amended, deemed by the Traffic Engineer to have a need to occupy street space while
5 performing an on-street service function, shall be exempt from fee payment for on-street service
6 parking permits. Also exempt from fee payment are the Seattle Department of Transportation
7 street and traffic maintenance crews. The Traffic Engineer may also exempt from fee payment a
8 regular recurring Farmers Market as defined by the Multi-Departmental Administrative Rule 09-
9 01 or its successor Rule.
10

11
12 Section 6. Fire Department Permits. SMC Chapter 22.602.045, Schedule B, is amended
13 as follows:

14
15 **SMC 22.602.045 Fees.**

16 B . The fees for the following special event permits are established in Schedule B. See Table
17 22.602.045B.

18 Schedule B
19 Table 22.602.045 B
20 Special Event Permits

21 **Time Charge.** When an inspection or permit application review for a Schedule B permit is
22 requested or is required for Seattle Fire Code compliance to be performed outside regular
23 business hours (Monday through Friday, 8:00 AM to 4:30 PM), a time charge will be added to
24 the Schedule B permit cost. The time charge, when applicable, will be equal to the actual labor
25 cost, including applicable administrative overhead costs and other services.
26



1
2 **Late Fee Applied.** Schedule B permit applications received by the Seattle Fire Department less
3 than 10 business days prior to the event for which they apply shall be assessed a late fee in
4 addition to the permit fee and any applicable time charge. The late fee shall be equal to 50
5 percent of the original permit fee.
6

7

8 Code No.	Permit Title	Original Fee	Renewal Fee
9 107 SE	Temporary permit	No fee	No fee
10 1102	Open flame, temporary, single event	\$150.00 \-plus time charge	No renewal
11 <u>2500 PA</u>	<u>Place of Assembly, temporary, farmers market program where the event alters the existing exit configuration and/or fire lanes.</u>	<u>No fee</u>	<u>No fee</u>
12 <u>2500 LPG</u>	<u>LPG, Portable outdoor heating, annual, when issued with a Place of Assembly Permit Code 2500</u>	<u>\$277</u>	<u>\$277</u>

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16 ****

17
18 Section 7. SMC 3.14.620 is amended as follows:

19
20 **SMC 3.14.620 Director -- Powers and authority.**

21
22 Under the direction of the Mayor, the duties and powers of the Director of the Office of
23 Economic Development shall be as follows:
24
25
26
27
28



1 A. To appoint, remove, assign, supervise, and control all officers and employees of the
2 Office of Economic Development in accordance with applicable civil service laws and rules;

3
4 B. To manage the preparation of the annual budget of the Office of Economic
5 Development, under the guidance of the Director of Finance; authorize appropriate expenditures
6 and carry out the adopted budget; develop and manage programs; and undertake authorized
7 activities;

8
9 C. To make, modify, alter, and extend loans under the City's business loan programs
10 consistent with the laws and ordinances relating to each program; to accept, release, subordinate,
11 and foreclose on security interests in real and personal property; and to sign and deliver
12 documents and to take other actions as shall be necessary or appropriate for such purposes;

13
14 D. To develop programs and seek additional funding sources for economic
15 development;

16
17 E. To accept unrestricted donations of funds from identified donors in an amount up to
18 One Thousand Dollars (\$1,000);

19
20 F. To enter into and enforce contracts (including agreements for expert and consultant
21 services) subject to applicable purchasing and bidding ordinances; and execute interdepartmental
22 agreements, and, as authorized by ordinance, intergovernmental agreements;

23
24 G. To serve as the City's representative to boards, commissions, and organizations
25 engaged in economic development activities;



1 H. To serve as the City's representative to the Seattle Small Business Lenders
2 Association;

3
4 I. In connection with any project or program now or hereafter coming within the
5 responsibility of the Office of Economic Development but previously vested by ordinance in
6 another City department, to exercise all authority vested in the director of such other department
7 with respect to such project or program, unless otherwise provided by ordinance;

8
9 J. To administer all ordinances pertaining to the Office of Economic Development;
10 ((and))

11
12 K. To exercise such other and further powers and duties as shall be prescribed by
13 ordinance((-)); and

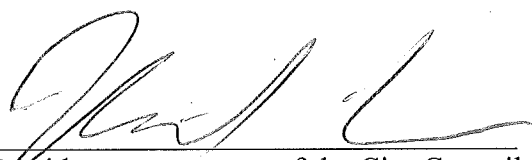
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15 L. To adopt, amend, and rescind administrative rules, as provided in the City's
16 Administrative Code, in order to implement the Director's powers and authority.

17
18 Section 8. Any act consistent with the authority of this ordinance taken prior to its
19 effective date is hereby ratified and confirmed.

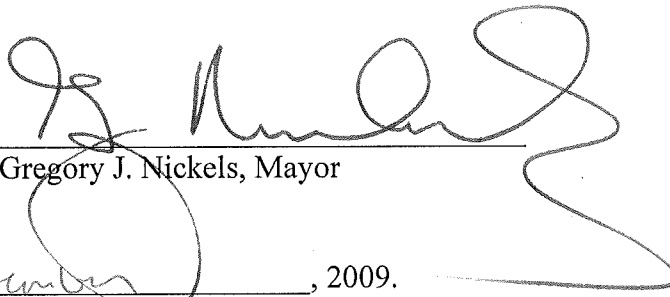
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22 Section 9. This ordinance shall take effect and be in force thirty (30) days from and after
23 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days
24 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.
25



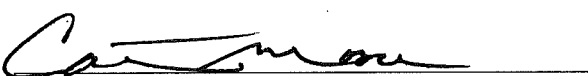
1 Passed by the City Council the 21st day of September, 2009, and
2 signed by me in open session in authentication of its passage this
3 21st day of September, 2009.

4
5 
6 President _____ of the City Council

7
8 Approved by me this 24th day of September, 2009.

9
10 
11
12 Gregory J. Nickels, Mayor

13
14 Filed by me this 24th day of September, 2009.

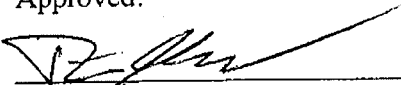
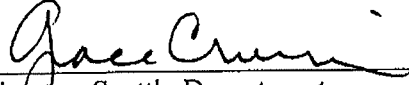
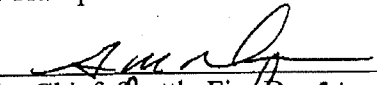
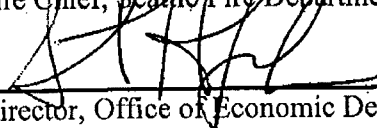
15
16 
17 City Clerk

18 (Seal)

19
20 Attachment A: Multi-Departmental Administrative Rules MDAR 09-01



ATTACHMENT A

<p>Subject: MULTI-DEPARTMENTAL ADMINISTRATIVE RULES</p> <p>Rules Regarding:</p> <p>Farmers Markets Permitting Process-2009 Pilot Program</p>	<p>No. MDAR 09-01</p> <p>Effective Date:</p>
<p>Approved:</p> <p> 6/21/09 _____ Superintendent, Seattle Dept. of Parks and Recreation Date</p> <p> 6-16-09 _____ Director, Seattle Department of Transportation Date</p> <p> 6/19/09 _____ Fire Chief, Seattle Fire Department Date</p> <p> 6/25/09 _____ Director, Office of Economic Development Date</p>	

1.0 INTRODUCTION AND FINDINGS

1.1 Introduction

The City owns and operates various real properties, including property under the jurisdiction of the Seattle Parks and Recreation Department ("Parks"), the Seattle Department of Transportation ("SDOT"), and the Department of Fleets and Facilities ("FFD"). The City permits a variety of uses on some of its properties, as provided in the Seattle Municipal Code ("SMC"). The Seattle Fire Department ("SFD") issues certain permits for farmers markets that occur on public or private property.

Several farmers markets have applied for and been granted permits to use property within Parks and SDOT jurisdiction to stage and support regularly recurring farmers markets. Questions have arisen regarding the application procedure and applicable fees for this particular use. The Parks, SDOT, and SFD fee schedules do not presently contain specific references to permits for farmers markets. The purpose of this Pilot Program and



implementing rule is to clarify the permitting procedures and the fees applicable to farmers markets.

1.2 Findings

The City finds:

1.2.1 Due to widespread redevelopment of property in Seattle's neighborhood business districts, existing farmers markets are experiencing difficulty staging markets on privately owned sites. Market sponsors have asked the city to assist them in securing more stable locations on public property. For example, in 2008 OED coordinated the relocation of the Lake City Market to Albert Davis Park.

1.2.2 The City has a substantial interest in identifying stable locations for farmers markets because they are extremely popular in the neighborhoods and provide valuable public benefits. The markets provide fresh regionally produced farm products directly to consumers who shop in neighborhood business districts. Other public benefits brought by these simple, popular markets include: improved access to high quality fresh fruits and vegetables; increased use of adjacent City property for desirable purposes such as pedestrian, park and recreational uses; a regular gathering place for people to interact in their neighborhood business districts; increased commerce for adjacent businesses due to greater pedestrian traffic on market days; and preservation of local farm land from redevelopment. Regional small farmers report that neighborhood farmers markets have become a vitally important source of revenue that enables them to keep their farms in production.

1.2.3 City property offers the best opportunity to locate more stable sites for regularly recurring farmers markets that are in or near neighborhood business districts and that provide a pleasing atmosphere for a festive community event. Property under the jurisdiction of Parks and SDOT are among the most suitable publicly owned sites upon which to locate regularly recurring farmers markets.

1.2.4 Regularly recurring farmers markets use public property in substantially the same manner each time, so certain fees should, as provided below, be calculated on an annual rather than a weekly or other "per use" basis.

1.2.5 Waiver of some Parks Department fees furthers Parks Department purposes, because it encourages and enhances park uses as identified in paragraph 1.2.2 above.



City of Seattle Multi-Departmental Administrative Rules Subject: Farmers Markets Pilot Program	No. MDAR 09-01 Page 3 of 5
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2.0 REFERENCES AND AUTHORITY

These rules are proposed under the authority of SMC chapter 3.02 and sections 3.12.020, 18.12.040, 22.600.020, as well as 2006 Seattle Fire Code Section 104.1.

3.0 DEFINITIONS

3.1 "Farmers Market" means a market that meets the conditions contained in Attachment I to these rules.

3.2 "Regularly recurring" means a farmers market:

3.2.1 Is scheduled to occur at the same location on public property at approximately the same time of day and on the same day or days of the week during at least fifteen (15) weeks per year; and,

3.2.2 Uses approximately the same amount and layout of public property such that it is appropriate to apply the fees as specified below on an annual rather than a per use basis;

3.3 "SMC" means Seattle Municipal Code.

4.0 DEPARTMENT OF PARKS AND RECREATION

4.1 The Superintendent is authorized to charge fees as provided in the Parks and Recreation Fee Schedule. That schedule lists a variety of uses and permits, and corresponding fees. The current 2009 schedule does not list a permit for farmers markets and does not delineate a fee for that particular type of use of Park's property.

4.2 The Superintendent of Parks and Recreation therefore determines that the appropriate manner in which to apply the current 2009 schedule to regularly recurring farmers markets that use Parks property is as follows:

4.2.1 An annual standard application is required for a regularly recurring farmers markets at an annual application fee of \$75;

4.2.2 An hourly use fee of \$10 shall apply to each hour of use;

City of Seattle Multi-Departmental
Administrative Rules
Subject: Farmers Markets Pilot Program
---MDAR 09-01



- 4.2.3 Based on the findings included in this Rule, the Superintendent hereby finds that a waiver of the booth fee; or the fee computed as 10% of gross sales income is in the overall public interest as applied to regularly recurring farmers markets (See SMC 18.28.030);
- 4.2.4 If Parks reasonably determines that a Parks event staff person is required to be present in order to monitor the use, the standard fee of \$20 per hour shall apply;
- 4.2.5 Other Parks fees such as for electrical utility hook ups shall apply as provided in the Fee Schedule.

5.0 SEATTLE DEPARTMENT OF TRANSPORTATION

- 5.1 The Director of SDOT is authorized to charge fees as provided in the SDOT Fee Schedule. That schedule lists a variety of uses and permits, and corresponding fees. The current 2009 schedule does not delineate a permit for farmers markets and does not delineate a fee for that particular type of use of SDOT property.
- 5.2 The Director therefore determines that the appropriate manner in which to apply the current 2009 schedule to regularly recurring farmers markets that participate in the pilot program is as follows:
 - 5.2.1 The "Field Review and Traffic Control Plan" fee of \$150 shall be computed on an annual basis for a regularly recurring farmers market;
 - 5.2.2 The application fee of \$101 shall be computed on an annual basis for a regularly recurring farmers market; and,
 - 5.2.3 SDOT may also charge the regular inspection fee of \$75 per inspection if an inspection is reasonably required under the circumstances, for example to determine if a farmers market is in compliance with the terms of its use permit.
 - 5.2.4 SDOT may issue on-street parking service permits, including parking meter hoods, without additional charge if necessary to enable a regularly recurring farmers market to use City parking spaces for the farmers market itself. SDOT shall not issue parking meter hoods under this section for vendor or patron parking (SMC 11.26.260).



City of Seattle Multi-Departmental Administrative Rules Subject: Farmers Markets Pilot Program	No. MDAR 09-01 Page 5 of 5
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6.0 SEATTLE FIRE DEPARTMENT

- 6.1 SFD requires and charges for a variety of fire code permits and inspection fees as provided in SMC Chapter 22.602 and its attached schedules.
- 6.2 Chapter 22.602 and the schedules do not specifically address farmers markets. SFD interprets that chapter and its schedules as follows as applied to regularly recurring farmers markets that participate in the pilot program:
 - 6.2.1 Permit 8206 – “LPG, Place of Assembly, Temporary”, as described in Schedule B to SMC 22.602. SFD may issue this permit to a regularly recurring farmers market as a blanket annual permit for the farmers market as a whole, but only for LPG used for heating purposes. The permit fee shall be as currently provided in that section of the schedule. Individual vendors who use LPG for cooking purposes must each obtain the applicable permit and pay the applicable fee.

7.0 OFFICE OF ECONOMIC DEVELOPMENT

- 7.1 The Director of OED will facilitate the processing of permit applications from farmers markets for permits issued by Parks, SDOT, and SFD.
- 7.2 Markets that wish to participate in the pilot program shall submit applications to OED on forms developed for that purpose. OED shall process the applications, determine initial eligibility, coordinate the issuance of necessary permits, and periodically verify participating farmers markets ongoing eligibility to participate in the pilot program. Participating farmers markets shall promptly notify OED of any material changes in their operations that might affect their eligibility to participate in the pilot program.



ATTACHMENT I
Definition of an Eligible Farmers Market

The eligibility criteria for city assistance is modeled after existing rules and guidelines from the United States Department of Agriculture, the Washington State Farmers Market Association, the Neighborhood Farmers Market Alliance and other well established organizations who support healthy eating, improved access to food, and small farmers.

Markets are eligible to participate in the city program if at least 70% of the market's vendors are Washington State farms and businesses selling items from the following five categories listed below:

Fresh Farm Products: Includes fresh fruits and vegetables, herbs, nuts, honey, dairy products, eggs, poultry, mushrooms, meats, fish and shellfish. Also included in this category are fresh cut flowers, nursery stock, and plants. All fresh farm products must be grown or produced in Washington State. All fresh farm products must be grown or produced by the seller. Only farmers, ranchers, fishers, apiaries, nurseries, and foragers may sell fresh farm products. Vendors must be active owners and operators of the farming operation and may not be operating the business under a franchise agreement. Farmers must propagate all plants and flowers from seed, cuttings, bulbs or plant division. Farmers must be the owner-operators of bee hives from which they sell honey.

Value Added Farm Foods: Includes preserves, jams and jellies, cider, wine, distilled spirits, syrups, salsas, smoked or canned meats or fish, dried fruit, flours, salad dressings, and limited on-site processed farm food such as roasted peppers & roasted peanuts. All value added farm foods must be made from raw products/ ingredients, a majority of which are grown and produced by the seller. The seller must also be the creator of the value added farm foods he/she is selling (personally doing the cooking, canning, baking, preserving, etc to create the product or supervising his/her raw product with their own recipes produced in a permitted facility). Vendor must be an active owner and operator of the farming operation and may not be operating the business under a franchise agreement. Wines allowable for sale at the Market must use grapes and fruit grown in the five wine appellations of Washington State.

Dried Flowers, Crafted Farm Products: Allowed are: bouquets, wreaths, roping, arrangements and displays of fresh and dried flowers, vines and gourds. Beeswax candles are allowed by honey producers only. Only vine and woven wood baskets from farmers are allowed. These items must be grown, foraged and produced by vendor on vendor's own farm. Vendor must be an active owner and operator of the farming operation and may not be operating the business under a franchise agreement.

Processed Foods: Includes juices, wines, preserved foods, salad dressings, jams, wines, pastries, pasta, granola, cookies, muffins, breads, pies and related take home desserts; not prepared on site. Vendor must be an active owner/operator of the business and may not be operating under a franchise agreement. Processed foods must be produced by the vendor from raw ingredients. Vendors in this category are those who have cooked, baked or otherwise treated the product they sell. No commercially prepared dough mixes,



crusts, shells or fillings are allowed. The intent is to support local agriculture. It is expected that the vendor will use raw ingredients that are grown in Washington, as appropriate for the product, and when possible, use products from participating market farmers. Wines allowable for sale at the Market must use grapes and fruit grown in the five wine appellations of Washington State.

Prepared Foods: Allowed are freshly made foods available for sale and immediate consumption on-site. Vendor must be active owner/operator of the business and may not be operating under a franchise agreement. Priority will be given to vendors preparing food from raw ingredients and using ingredients grown and/or produced in Washington State and by participating market farmers.



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Office of Economic Development	Nancy Yamamoto 684-8189	Amanda Allen 684-8894

Legislation Title: AN ORDINANCE related to farmers markets; stating the Seattle City Council's findings regarding the economic impacts of farmers markets; adopting and authorizing the establishment of a program regarding farmers markets; amending the current Department of Parks and Recreation (Parks) fee schedule (Attachment 1 to Ordinance No. 122850) and the current Seattle Department of Transportation (SDOT) fee schedule (Exhibit A to Ordinance No. 122295) to clarify the appropriate application of certain Parks and SDOT permit fees to farmers markets participating in the program; amending SMC 11.26.260C in order to exempt farmers markets from service parking permits; amending SMC 22.602, Schedule B, Table 22.602.045B, in order to establish certain Seattle Fire Department (SFD) permit codes and fees for farmers markets participating in the program; amending SMC 3.14.620 to clarify that the Director of the Office of Economic Development (OED) has authority to adopt rules; authorizing and directing the OED to adopt rules implementing this ordinance; and ratifying and confirming certain prior acts.

• **Summary of the Legislation:**

This legislation will amend the applicable fee schedules to reduce permitting fees required by the Seattle Department of Transportation (SDOT), Seattle Department of Parks and Recreation (DPR) and Seattle Fire Department (SFD) to site regularly recurring farmers markets on public and private property. The legislation will also designate the Office of Economic Development (OED) to develop the eligibility criteria and administrative rules for program participation and coordinate the permitting process with the other departments

• **Background:** *(Include brief description of the purpose and context of legislation and include record of previous legislation and funding history, if applicable):*

The City has a substantial interest in farmers markets because of the public benefits to consumers, local farmers and businesses in the adjacent neighborhood business districts. These benefits include providing:

- Improved access to high quality fresh fruits and vegetables (over \$10 million in sales for the 2008 season with more than 70,000 pounds of food donated to local food banks);
- An important source of revenue for local farmers;
- A regular gathering place for people to interact in their neighborhoods (over 535,000 shoppers in 11 local markets in 2008); and
- Increased commerce for adjacent businesses on market days.



However, due to widespread redevelopment of property in Seattle's neighborhood business districts, existing farmers markets are experiencing difficulty staging markets on privately owned sites. Market sponsors have asked the City to assist them in securing more stable locations on public property. For example, OED has facilitated the relocation of the Queen Anne Farmers Market to West Crockett Street. One of the impediments to using City-owned property for farmers markets is the frequency and expense of obtaining the required permits. There are also permitting costs and fees associated with the staging of farmers markets on private property.

A recently adopted multidepartment (SDOT, DPR, OED, SFD) Director's Rule began to implement a streamlined permitting process as an interim farmers market pilot program for 2009. This legislation will formally legislate the permit fees contained in the Director's Rule, address an additional SFD public assembly permit fee, and establish an ongoing program to support the city's farmers markets, especially those markets that need to be relocated to public property due to redevelopment pressure. Eligible farmers markets will also qualify for annual permits coordinated by OED. Specifically, this legislation will:

- allow market operators to apply for permits once per year instead of every week or month;
- reduce fees for street and parks use permits;
- waive SDOT on-street parking service permit fees, including parking meter hood fees for markets staged on public streets;
- allow a blanket annual permit for the use of Liquified Petroleum Gas (LPG) for heating purposes at a reduced fee; and
- waive the assembly use inspection fee required by the Fire Department.

Please check one of the following:

This legislation does not have any financial implications. *(Stop here and delete the remainder of this document prior to saving and printing.)*

This legislation has financial implications. *(Please complete all relevant sections that follow.)*

Note: There are no changes in 2009 appropriations or revenues as a result of this legislation. DPR, SDOT, and SFD fee schedules do not presently contain specific references to permits for farmers markets. This legislation will clarify the applicable fees. The proposed fee structure for the use of DPR parks property, SFD LPG – fueled heater permits, and SDOT street closures associated with farmers markets will be used annually beginning in 2009 to reflect the reduction in fees. Additionally, SDOT parking meter hood permit fees and SFD assembly use permit inspection fees will be waived for qualifying farmers markets.

Neither DPR nor SFD projected revenues from these sources in 2009, resulting in no change to



budgeted revenues to DPR or SFD in 2009. However, the estimated loss in future revenue for the SFD assembly use permit inspection fee is approximately \$23,800. SDOT estimates a reduction of approximately \$11,500 in the historic street use permit fees charged by the Department, which is considered an immaterial project revenue impact.

Individual vendors at a farmers market who use LPG for cooking must each continue to obtain the currently required annual or single event permit and pay the applicable fee, as provided in the SFD Fee Schedule B. The individual vendors who obtain an annual LPG permit for cooking are able to utilize the permit at other fairs, festivals, and public events, as well as at the farmers markets.

- **What is the financial cost of not implementing the legislation?** *(Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs if the legislation is not implemented.)*

There is no financial cost for not implementing the legislation. The cost would be measured in terms of unachieved public benefits. This is due to the fact that some farmers markets would not be able to be relocated *and* remain sustainable without the fee reductions proposed.

- **Does this legislation affect any departments besides the originating department?** • *If so, please list the affected department(s), the nature of the impact (financial, operational, etc), and indicate which staff members in the other department(s) are aware of this Bill.*

This legislation changes the fee schedule for SDOT, DPR and SFD, In some cases the fees are reduced, in other cases the frequency of fee collection is decreased, though the actual cost of the fee remains the same. The table below reflects possible charges that may be applied to a farmers market under the existing and proposed fee schedules. The figures estimated represent the *potential* cost to one farmers market lasting 28 weeks. The figures presented do not represent what farmers markets have actually been charged in 2009, because of the differences between markets. For example, farmers markets that are not located on street closures or parks property would not incur those fees. Additionally, it is important to note that not all current fees should be interpreted to be ‘forgone revenue’, because the market would not be relocated to a public property were the fees in place. This is because the existing fees would be cost prohibitive.

Department Fee Title	2009 Fee Structure		Proposed Fee Structure	
	Per Week	Per Season	Per Week	Per Season



Department Fee Title	2009 Fee Structure		Proposed Fee Structure	
	Per Week	Per Season	Per Week	Per Season
SDOT Permit for Farmers Market Street Closures May – October (28 weeks)				
Field Review and Traffic Control Plan		\$150		\$150
Base Permit Fee (Administrative Cost for Issuing Permit)	\$101	\$2,828		\$101
Final Inspection (if necessary)	\$75	\$2,100		Complaint-based
Additional Inspection Charge (\$75 per inspection, as needed)	\$75	\$2,100		Complaint-based
SDOT Metered/Paid Parking Reservation Fees				
Service Parking Meter Hood One-Time Hooding Charge	\$18.50 per metered space	\$18.50 per metered space x 28 weeks	Waived	\$0
Yellow Service Parking Meter Hood Lost Revenue Charge (to reserve Monday – Saturday; 7 am – 6 pm)	\$15 per metered space per day	\$15 per metered space x 28 weeks	Waived	\$0
Red Service Parking Meter Hood Lost Revenue fee (to reserve 24 hours/day)	\$18 per metered space per day	\$18 per metered space x 28 weeks	Waived	\$0
Truck permit (to stand a truck in metered space)	\$16	\$16 per metered space x 28 weeks	Waived	\$0
Park Event Use Fees for Farmers Market Season May – October (28 weeks)				
Parks Application Fee (one-time for season)		\$75		\$75
10% of vendor revenues				Waived
Parks Rental Hourly Fees, \$10/hr for a minimum of 5 hours (including set-up and tear down)	\$50	\$1,400	\$50	\$1,400
Staffing Fee – to open and close markets	\$0	\$0	\$100	\$2,800



Department Fee Title	2009 Fee Structure		Proposed Fee Structure	
	Per Week	Per Season	Per Week	Per Season
\$20/hr for 5 hours				
Load/Unload fee (if necessary)	\$10 per vehicle		\$10 per vehicle	
Electrical/Water Hookup (if necessary)	\$55		\$55	
Supplemental Late Application Fee (if necessary)	\$75		\$75	
Commercial Signage (if necessary)	\$100		\$100	
SFD Permit for Farmers Market Street Closures May – October (28 weeks)				
Public Assembly Permit		\$1,702		\$ 0
LPG Permit – propane heaters		\$396		\$277

In addition to the fee schedule changes, OED will accept applications from farmers markets that wish to participate in the program and convene an annual permitting meeting between the market operator and applicable departments. The individual departments will continue to collect the relevant fees and issue the necessary permits directly with the market operator.

Department contacts:

Seattle Department of Transportation, Angela Steele, 684-5967
 Seattle Department of Parks and Recreation, Joanne Orsucci, 233-3948
 Seattle Fire Department, Diane Hansen, 386-1451

- **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** *(Include any potential alternatives to the proposed legislation, such as reducing fee-supported activities, identifying outside funding sources for fee-supported activities, etc.)*

None.

- **Is the legislation subject to public hearing requirements:** *(If yes, what public hearings have been held to date, and/or what plans are in place to hold a public hearing(s) in the future.)*

No, there are no public hearing requirements.

- **Other Issues** *(including long-term implications of the legislation):*



None.

- **List attachments to the fiscal note below:** *(Please include headers with version numbers on all attachments, as well footers with the document's name (e.g., DOF Property Tax Fisc Att A)*

None.





City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

July 28, 2009

Honorable Richard Conlin
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Conlin:

I am pleased to transmit the attached proposed Council Bill that streamlines and reduces fees for permitting farmers markets. The legislation will amend the applicable fee schedules to reduce permitting fees required by the Seattle Department of Transportation, Department of Parks and Recreation, and Seattle Fire Department to site farmers markets on public and private property. The legislation also designates the Office of Economic Development with primary responsibility for developing eligibility criteria and administrative rules for program participation and coordinating the permitting process with the other departments.

Farmers markets provide many public benefits, including improving access to fresh regionally produced farm products, and stimulating the local economy. In 2008, Seattle's farmers markets generated more than \$10 million in sales, providing our regional farmers with an important source of revenue to help keep local farm land in production. Farmers markets also increase pedestrian traffic, resulting in greater commerce in the neighborhood business districts where they are located. In 2009, an interdepartmental Directors Rule authorized a streamlined permitting process as an interim pilot program. This legislation further reduces permitting fees and establishes an ongoing program to support the city's farmers markets, especially those that need to be relocated to public property due to redevelopment of their existing sites.

These new permitting requirements will support the continued operation of the 14 farmers markets operating across the city. Thank you for your consideration of this legislation. Should you have questions, please contact Nancy Yamamoto at 684-8189.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Nickels", written over a large, light-colored scribble or watermark.

GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

600 Fourth Avenue, 7th Floor, P.O. Box 94749, Seattle, WA 98124-4749

Tel: (206) 684-4000, TDD: (206) 615-0476 Fax: (206) 684-5360, Email: mayors.office@seattle.gov

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FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Office of Economic Development	Nancy Yamamoto 684-8189	Amanda Allen 684-8894

Legislation Title: AN ORDINANCE related to farmers markets; stating the Seattle City Council's findings regarding the economic impacts of farmers markets; adopting and authorizing the establishment of a program regarding farmers markets; amending the current Department of Parks and Recreation (Parks) fee schedule (Attachment 1 to Ordinance No. 122850) and the current Seattle Department of Transportation (SDOT) fee schedule (Exhibit A to Ordinance No. 122295) to clarify the appropriate application of certain Parks and SDOT permit fees to farmers markets participating in the program; amending SMC 11.26.260C in order to exempt farmers markets from service parking permits; amending SMC 22.602, Schedule B, Table 22.602.045B, in order to establish certain Seattle Fire Department (SFD) permit codes and fees for farmers markets participating in the program; amending SMC 3.14.620 to clarify that the Director of the Office of Economic Development (OED) has authority to adopt rules; authorizing and directing the OED to adopt rules implementing this ordinance; and ratifying and confirming certain prior acts.

• **Summary of the Legislation:**

This legislation will amend the applicable fee schedules to reduce permitting fees required by the Seattle Department of Transportation (SDOT), Seattle Department of Parks and Recreation (DPR) and Seattle Fire Department (SFD) to site regularly recurring farmers markets on public and private property. The legislation will also designate the Office of Economic Development (OED) to develop the eligibility criteria and administrative rules for program participation and coordinate the permitting process with the other departments

• **Background:** *(Include brief description of the purpose and context of legislation and include record of previous legislation and funding history, if applicable):*

The City has a substantial interest in farmers markets because of the public benefits to consumers, local farmers and businesses in the adjacent neighborhood business districts. These benefits include providing:

- Improved access to high quality fresh fruits and vegetables (over \$10 million in sales for the 2008 season with more than 70,000 pounds of food donated to local food banks);
- An important source of revenue for local farmers;
- A regular gathering place for people to interact in their neighborhoods (over 535,000 shoppers in 11 local markets in 2008); and
- Increased commerce for adjacent businesses on market days.



However, due to widespread redevelopment of property in Seattle's neighborhood business districts, existing farmers markets are experiencing difficulty staging markets on privately owned sites. Market sponsors have asked the City to assist them in securing more stable locations on public property. For example, OED has facilitated the relocation of the Queen Anne Farmers Market to West Crockett Street. One of the impediments to using City-owned property for farmers markets is the frequency and expense of obtaining the required permits. There are also permitting costs and fees associated with the staging of farmers markets on private property.

A recently adopted multidepartment (SDOT, DPR, OED, SFD) Director's Rule began to implement a streamlined permitting process as an interim farmers market pilot program for 2009. This legislation will further reduce permitting fees and establish an ongoing program to support the city's farmers markets, especially those markets that need to be relocated to public property due to redevelopment pressure. Eligible farmers markets will also qualify for annual permits coordinated by OED. Specifically, this legislation will:

- allow market operators to apply for permits once per year instead of every week or month;
- reduce fees for street and parks use permits;
- waive SDOT on-street parking service permit fees, including parking meter hood fees for markets staged on public streets;
- allow a blanket annual permit for the use of Liquefied Petroleum Gas (LPG) for heating purposes at a reduced fee; and
- waive the assembly use inspection fee required by the Fire Department.

Please check one of the following:

This legislation does not have any financial implications. *(Stop here and delete the remainder of this document prior to saving and printing.)*

This legislation has financial implications. *(Please complete all relevant sections that follow.)*

Note: There are no changes in 2009 appropriations or revenues as a result of this legislation. DPR, SDOT, and SFD fee schedules do not presently contain specific references to permits for farmers markets. This legislation will clarify the applicable fees. The proposed fee structure for the use of DPR parks property, SFD LPG – fueled heater permits, and SDOT street closures associated with farmers markets will be used annually beginning in 2009 to reflect the reduction in fees. Additionally, SDOT parking meter hood permit fees and SFD assembly use permit inspection fees will be waived for qualifying farmers markets.

Neither DPR nor SFD projected revenues from these sources in 2009, resulting in no change to budgeted revenues to DPR or SFD in 2009. However, the estimated loss in future revenue for



the SFD assembly use permit inspection fee is approximately \$23,800. SDOT estimates a reduction of approximately \$11,500 in the historic street use permit fees charged by the Department, which is considered an immaterial project revenue impact.

Individual vendors at a farmers market who use LPG for cooking must each continue to obtain the currently required annual or single event permit and pay the applicable fee, as provided in the SFD Fee Schedule B. The individual vendors who obtain an annual LPG permit for cooking are able to utilize the permit at other fairs, festivals, and public events, as well as at the farmers markets.

- **What is the financial cost of not implementing the legislation?** *(Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs if the legislation is not implemented.)*

There is no financial cost for not implementing the legislation. The cost would be measured in terms of unachieved public benefits

- **Does this legislation affect any departments besides the originating department?** • *If so, please list the affected department(s), the nature of the impact (financial, operational, etc), and indicate which staff members in the other department(s) are aware of this Bill.*

Yes, the departments listed below have agreed to the following fee schedule changes for various permits associated with regularly recurring farmers markets.

Department Fee Title	Current 2009 Fees		Proposed Fees	
	Per Week	Per Season	Per Week	Per Season
SDOT Permit for Farmers Market Street Closures May – October (28 weeks)				
Field Review and Traffic Control Plan		\$150		\$150
Base Permit Fee (Administrative Cost for Issuing Permit)	\$101	\$2,828		\$101
Final Inspection	\$75	\$2,100		
Additional Inspection Charge (\$75 per inspection, as needed)				
SDOT Metered/Paid Parking Reservation Fees				
Service Parking Meter Hood One-Time Hooding Charge	\$18.50 per metered space	\$0	Waived	\$0



Department Fee Title	Current 2009 Fees		Proposed Fees	
	Per Week	Per Season	Per Week	Per Season
Yellow Service Parking Meter Hood Lost Revenue Charge (to reserve Monday – Saturday; 7 am – 6 pm)	\$15 per metered space per day	\$0	Waived	\$0
Red Service Parking Meter Hood Lost Revenue fee (to reserve 24 hours/day)	\$18 per metered space per day	\$0	Waived	\$0
Truck permit (to stand a truck in metered space)	\$16	\$0	Waived	\$0
Park Event Use Fees for Farmers Market Season May – October (28 weeks)				
Parks Application Fee (one-time for season)		\$75		\$75
5% if vendor revenues (e.g. Broadway Revenues for 2006 season = \$327,738)		\$16,387		
Parks Rental Hourly Fees, \$10/hr for a minimum of 5 hours (including set-up and tear down)	\$50	\$1,400	\$50	\$1,400
Staffing Fee – to open and close markets \$20/hr for 5 hours			\$100	\$2,800
Electrical/Water Hookup (if necessary)	\$55	\$1,540	\$55	\$1,540
Total	\$105	\$19,402	\$205	\$5,815
SFD Permit for Farmers Market Street Closures May – October (28 weeks)				
Public Assembly Permit		\$1,702		\$0
LPG Permit – propane heaters		\$396		\$277
Total		\$2,098		\$277

Department contacts:

Seattle Department of Transportation, Angela Steele, 684-5967
 Seattle Department of Parks and Recreation, Joanne Orsucci, 233-3948
 Seattle Fire Department, Diane Hansen, 386-1451



- **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** *(Include any potential alternatives to the proposed legislation, such as reducing fee-supported activities, identifying outside funding sources for fee-supported activities, etc.)*

None.

- **Is the legislation subject to public hearing requirements:** *(If yes, what public hearings have been held to date, and/or what plans are in place to hold a public hearing(s) in the future.)*

No, there are no public hearing requirements.

- **Other Issues** *(including long-term implications of the legislation):*

None.

- **List attachments to the fiscal note below:** *(Please include headers with version numbers on all attachments, as well footers with the document's name (e.g., DOF Property Tax Fisc Att A)*

None.



STATE OF WASHINGTON – KING COUNTY

--SS.

245612
CITY OF SEATTLE, CLERKS OFFICE

No.

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

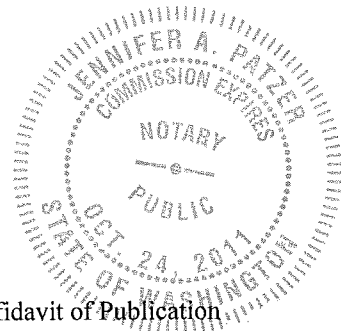
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:ORD 123090

was published on

10/06/09

The amount of the fee charged for the foregoing publication is the sum of \$1,286.00, which amount has been paid in full.



Affidavit of Publication

[Signature]
Subscribed and sworn to before me on
10/06/09
[Signature]
Notary public for the State of Washington,
residing in Seattle

SEATTLE CITY NOTICES

ORDINANCE 123090

AN ORDINANCE related to farmers markets; stating the Seattle City Council's findings regarding the economic impacts of farmers markets; adopting and authorizing the establishment of a program regarding farmers markets; amending the current Department of Parks and Recreation (Parks) fee schedule (Attachment 1 to Ordinance No. 122850) and the current Seattle Department of Transportation (SDOT) fee schedule (Exhibit A to Ordinance No. 122295) to clarify the appropriate application of certain Parks and SDOT permit fees to farmers markets participating in the program; amending SMC 11.26.260C in order to exempt farmers markets from service parking permits; amending SMC 22.602, Schedule B, Table 22.602.045B, in order to establish certain Seattle Fire Department (SFD) permit codes and fees for farmers markets participating in the program; amending SMC 3.14.620 to clarify that the Director of the Office of Economic Development (OED) has authority to adopt rules; authorizing and directing the OED to adopt rules implementing this ordinance; and ratifying and confirming certain prior acts.

WHEREAS, farmers markets are an important contributor to Seattle's economic and cultural life; and

WHEREAS, due to widespread redevelopment of property in Seattle's neighborhood business districts, existing farmers markets are experiencing difficulty staging markets on privately owned sites and market sponsors have asked the City to assist them in securing more stable locations on public property; and

WHEREAS, the City owns and operates various real properties and manages public rights of way, including property under the jurisdiction of the Department of Parks and Recreation (Parks), the Seattle Department of Transportation (SDOT), and the Fleets and Facilities Department (FFD); and

WHEREAS Parks, SDOT, the Seattle Fire Department (SFD), and the Office of Economic Development (OED) have adopted administrative rules implementing a program for farmers markets, which clarify how their respective fee schedules are applied to farmers markets participating in the program; and

WHEREAS, several farmers markets have applied for and been granted permits to use property and or public rights of way under Parks' and SDOT's jurisdictions to stage and support those farmers markets; and

WHEREAS, SDOT's and Parks' current fee schedules do not include specific references to particular permits for farmers markets located on City-owned property within those departments' jurisdictions; and

WHEREAS, the City wishes to adopt and authorize the establishment of the program; NOW THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The City Council makes the following legislative findings regarding the economic impacts of farmers markets on Seattle.

- The City has a substantial interest in identifying stable locations for farmers markets because they are extremely popular in the neighborhoods and provide valuable public benefits. The markets provide fresh regionally produced farm products directly to consumers who shop in neighborhood business districts. Other public benefits brought by these simple, popular markets include: improved access to high quality fresh fruits and vegetables; increased use of adjacent City-owned property or rights-of-way for desirable purposes such as pedestrian and recreational uses; the provision of a regular gathering place for people to interact in their neighborhood business districts; increased commerce for adjacent businesses due to greater pedestrian traffic on market days; and preservation of local farm land from redevelopment. Regional small farmers report that neighborhood farmers markets have become a vitally important source of revenue that enables them to keep their farms in production.
- City-owned properties or rights-of-way located in or near neighborhood business districts are often the most stable sites for farmers markets because they are not subject to redevelopment pressures. Examples of these types of properties include temporary use of Parks properties, SDOT street closures, and properties controlled by FFD and they are the most suitable publicly-owned sites upon which to locate regularly recurring farmers markets.
- A major barrier to using City-owned property or rights-of-way for such farmers markets has been the manner in which certain fees have been computed for regularly recurring farmers markets. Regularly recurring farmers markets use public property or rights-of-way in substantially the same manner each time, so certain fees should, as provided below, be calculated on an annual rather than a weekly or other "per use" basis.

Other Parks fees such as for electrical utility hookups shall apply as provided in the table above.

Section 4. SDOT Street Use Permits. SDOT's Fee Schedule, Exhibit A to Ordinance No. 122295, is amended as follows:

Exhibit A: Street Use Permit Fee Schedule, Effective January 1, 2007

Use Code	Use Description	Base Permit Fee	Franchise and Utility Map Surecharge	Occupation Fee (Long Term)	Use Fee (Short Term)
3A		\$101	\$30	N/A	<p>ON NON-ARTERIAL</p> <p>mo 1=no fee, mo 2&3=\$.10/sf/10d mo 4&5=\$.20/sf/10d mo 6&7=\$.40/sf/10d mo 8&9=\$.80/sf/10d mo 10+=\$1.20/sf/10d in mo 10+ up to \$2.00/sf/10day credit for mobility mitigation</p> <p>ON ARTERIAL</p> <p>mo 1=\$.10/sf/10d mo 2=\$.20/sf/10d mo 3=\$.40/sf/10d mo 4=\$.80/sf/10d mo 5=\$1.20/sf/10d in mo 5+ up to \$2.00/sf/10d credit for mobility mitigation</p>
3B**	Farmers Market Program	\$101	N/A	N/A	N/A

Section 5. SDOT Traffic Service Parking Permits. Section 11.26.260 of the Seattle Municipal Code, which section was last amended by Ordinance 120994, is amended as follows:

11.26.260 Service parking permit – Fee – Time period

C. As to on-street service parking permits, those nonprofit, tax-exempt organizations currently recognized by the United States of America as exempt from federal taxation pursuant to Section 501(c) (1) or (3) of the Internal Revenue Code of 1954, 26 U.S.C., Section 501, as now hereafter amended, deemed by the Traffic Engineer to have a need to occupy street space while performing an on-street service function, shall be exempt from fee payment for on-street service parking permits. Also exempt from fee payment are the Seattle Department of Transportation street and traffic maintenance crews. The Traffic Engineer may also exempt from fee payment a regular recurring Farmers Market as defined by the Multi-Departmental Administrative Rule 09-01 or its successor Rule.

Section 6. Fire Department Permits. SMC Chapter 22.602.045, Schedule B, is amended as follows:

SMC 22.602.045 Fees.

B. The fees for the following special event permits are established in Schedule B. See Table 22.602.045B.

Schedule B
Table 22.602.045 B
Special Event Permits

Time Charge. When an inspection or permit application review for a Schedule B permit is requested or is required for Seattle Fire Code compliance to be performed outside regular business hours (Monday through Friday, 8:00 AM to 4:30 PM), a time charge will be added to the Schedule B permit cost. The time charge, when applicable, will be equal to the actual labor cost, including applicable administrative overhead costs and other services.

Late Fee Applied. Schedule B permit applications received by the Seattle Fire Department less

responsibility of the Office of Economic Development but previously vested by ordinance in another City department, to exercise all authority vested in the director of such other department with respect to such project or program, unless otherwise provided by ordinance;

J. To administer all ordinances pertaining to the Office of Economic Development;
(and)

K. To exercise such other and further powers and duties as shall be prescribed by ordinance(s); and

L. To adopt, amend, and rescind administrative rules, as provided in the City's Administrative Code, in order to implement the Director's powers and authority.

Section 8. Any act consistent with the authority of this ordinance taken prior to its effective date is hereby ratified and confirmed.

Section 9. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 21st day of September, 2009, and signed by me in open session in authentication of its passage this 21st day of September, 2009.

RICHARD CONLIN,

President of the City Council.

Approved by me this 24th day of September, 2009.

GREGORY J. NICKELS,

Mayor.

Filed by me this 24th day of September, 2009.

(Seal) JUDITH E. PIPPIN,

City Clerk.

Attachment A: Multi-Departmental Administrative Rules MDAR 09-01.

Date of publication in the Seattle Daily Journal of Commerce, October 6, 2009. 10/6(245612)

BANKRUPTCY NOTICES

USING THIS SECTION

This section lists bankruptcies filed in the U.S. Bankruptcy court offices in Seattle and Tacoma, published daily.

The records are sorted by the office in which they were filed. This section allows readers to research the financial history of potential clients and customers and monitor the general financial health of the local economy.

The name of the filer is in bold, followed by the social security number or business tax I.D. number and contact address. The records conclude with the filing date, filing number and the type of bankruptcy (Chapter 7, 11, or 13).

A database of bankruptcy listings from 1994 is available to online subscribers on the DJC<0x2019>s Web site. Visit <http://www.djc.com>.

FILED IN SEATTLE

Debra Lynn Atwood, xxx-xx-6061; 7611 77th Pl NE, Marysville, WA 98270, Ref 09-20285, filed on Oct 2. (Ch. 13)

Frank Anthony Meeks, Wende Rae Meeks, xxx-xx-0255, xxx-xx-9366; 727 East Greenoch Loop, Oak Harbor, WA 98277, Ref 09-20286, filed on Oct 2. (Ch. 13)

Karina Bagdasaryan, xxx-xx-1268; 11224 NE 58th Pl, Kirkland, WA 98033, Ref 09-20287, filed on Oct 2. (Ch. 13)

Donna Marie Knowlton, xxx-xx-2951; 9300 West Mall Drive, Everett, WA 98208, Ref 09-20312, filed on Oct 2. (Ch. 7)

Vorel Deshaun Trotter, xxx-xx-8369; 10201 SE 3rd St, Apt 20, Bellevue, WA 98004, Ref 09-20313, filed on Oct 2. (Ch. 7)

Susan J. MacKenzie, xxx-xx-0775; 5000 Auburn Way S #A27, Auburn, WA 98071-0975, Ref 09-20314, filed on Oct 2. (Ch. 7)

Lonnie Steven Hull, Dawn Marie Hull, xxx-xx-4935, xxx-xx-5177; 120 Cottonwood Lane, Sequim, WA 98382, Ref 09-20315, filed on Oct 2. (Ch. 7)

Bryan James Dunn, Shawna KuLeI Aloha Dunn, xxx-xx-1778, xxx-xx-8579; 24208 SE 30th St, Sammamish, WA 98075, Ref 09-20316, filed on Oct 2. (Ch. 13)

Jacob D Courier, xxx-xx-1043; 20225 Bothell-Everett Hwy #2312, Bothell, WA 98012, Ref 09-20317, filed on Oct 2. (Ch. 7)

Michele J Rogers, xxx-xx-7575; 23731 9th Place West, Bothell, WA 98021, Ref 09-20318, filed on Oct 2. (Ch. 13)

Carol Ann Adams, Patrick Charles Adams, xxx-xx-3315, xxx-xx-3327; 6102 140th St. SE, Everett, WA 98208, Ref 09-20319, filed on Oct 2. (Ch. 7)

Janeen L Sport, xxx-xx-4656; 6313 80th St. NE, Marysville, WA 98270, Ref 09-20320, filed on Oct 2. (Ch. 7)

Robert Russell Gates, xxx-xx-4747; 510 Beach Ave, Marysville, WA 98270, Ref 09-20321, filed on Oct 2. (Ch. 7)

Timoteo A Abiera, Norma B Abiera, xxx-xx-8120, xxx-xx-8202; 1430 W. Casino Rd. Unit #302, Everett, WA 98204, Ref 09-20322, filed on Oct 2. (Ch. 7)

Section 2. The City hereby adopts and authorizes the establishment of a Farmers Market Program which was first operated as the Farmers Market Pilot Program described in Multi-Departmental Administrative Rule (MDAR) 09-01 (Attachment A). Parks, SDOT, SFD, and OED are authorized to continue implementing the farmers market program described in MDAR 09-01, including the authority to interpret and apply the applicable fee schedules and to waive or assess certain fees in the manner described in the rule. OED shall have primary responsibility for administering the program. The Director of OED is authorized and directed to adopt, and if necessary amend, additional administrative rules implementing the program. Farmers markets that wish to participate in the program shall submit applications to OED on forms developed for that purpose. OED shall process the applications, determine initial eligibility, coordinate the issuance of necessary permits, and periodically verify participating farmers markets' ongoing eligibility to participate in the program. Participating farmers markets shall promptly notify OED of any material changes in their operations that might affect their eligibility to participate in the program.

Section 3. Parks Permits. The Parks 2009-2010 Fee Schedule, Attachment 1 to Ordinance No. 122850, is amended as follows:

PERMITS

USE PERMITS

Use Permits authorize non-department groups to utilize Department of Parks and Recreation property for special events (i.e., runs, boating, concerts, day camps, community festivals, rallies, commercials, etc.).

• General Provisions

NOTE: Insurance and/or a performance bond may be required except as limited by the First Amendment for political or religious activities as provided by SMC 18.12.045 or by applicable rules. An application fee will be collected upon formal written application. This fee is non-refundable, except when the Department denies a request.

2009	2010	
\$50.00	\$50.00	Application fee – First Amendment Events, including political and religious activities.
\$75.00	\$75.00	Standard Application fee – Use Permits (i.e., runs, boating, concerts, day camps, community festivals, rallies, commercials, etc.)
\$10.00	\$10.00	Booth fee – As part of a special event, a charge of \$10.00 per booth or 10% of gross sales, whichever is greater.
10% of gross income	10% of gross income	If, in the course of the activity/event, charges are levied for admission, sales, or entry fees, the user will be subject to a minimum charge of 10% of the gross receipts.
\$10.00	\$10.00	Load/Unload fee, per vehicle – for short-term access into non-parking areas or those areas accessed through a locked gate or bollard.
\$55.00	\$55.00	Utility hook-up fee – for any utility hook-up performed by Department personnel.
\$75.00	\$75.00	Supplemental Late Application Fee – for requests submitted less than 6 working days before event. (Fee does not apply to First Amendment events)
\$100.00	\$100.00	Minimum, per surface (advertising banner, canopy/tent wall, sign, vehicle surface, inflatables, other) per day – for posting commercial signage in a park in conjunction with a special event. (Maximum fees are subject to negotiations.)

Note: Farmers Markets Program.

The current 2009-2010 fee schedule shall be applied to regularly recurring farmers markets, as that term is defined in applicable rules, as follows:

An annual Standard Application Fee is required at a fee of \$75;

An hourly use fee of \$10, with a five hour minimum, shall apply;

The fees described above as a "booth fee" and as "10% of gross income" shall not apply;

If Parks reasonably determines that a Parks event staff person is required to be present in order to monitor the use, the standard fee of \$20 per hour shall apply; and

Late Fee Applied. Schedule B permit applications received by the Seattle Fire Department less than 10 business days prior to the event for which they apply shall be assessed a late fee in addition to the permit fee and any applicable time charge. The late fee shall be equal to 50 percent of the original permit fee.

Code No.	Permit Title	Original Fee	Renewal Fee
107 SE	Temporary permit	No fee	No fee
1102	Open flame, temporary, single event	\$150.00 +plus time charge	No renewal
2500 PA	Place of Assembly, temporary, farmers market program where the event alters the existing exit configuration and/or fire lanes.	No fee	No fee
2500 LPG	LPG, Portable outdoor heating, annual, when issued with a Place of Assembly Permit Code 2500	\$277	\$277

Section 7. SMC 3.14.620 is amended as follows:

SMC 3.14.620 Director -- Powers and authority.

Under the direction of the Mayor, the duties and powers of the Director of the Office of Economic Development shall be as follows:

A. To appoint, remove, assign, supervise, and control all officers and employees of the Office of Economic Development in accordance with applicable civil service laws and rules;

B. To manage the preparation of the annual budget of the Office of Economic Development, under the guidance of the Director of Finance; authorize appropriate expenditures and carry out the adopted budget; develop and manage programs; and undertake authorized activities;

C. To make, modify, alter, and extend loans under the City's business loan programs consistent with the laws and ordinances relating to each program; to accept, release, subordinate, and foreclose on security interests in real and personal property; and to sign and deliver documents and to take other actions as shall be necessary or appropriate for such purposes;

D. To develop programs and seek additional funding sources for economic development;

E. To accept unrestricted donations of funds from identified donors in an amount up to One Thousand Dollars (\$1,000);

F. To enter into and enforce contracts (including agreements for expert and consultant services) subject to applicable purchasing and bidding ordinances; and execute interdepartmental agreements, and, as authorized by ordinance, intergovernmental agreements;

G. To serve as the City's representative to boards, commissions, and organizations engaged in economic development activities;

H. To serve as the City's representative to the Seattle Small Business Lenders Association;

I. In connection with any project or program now or hereafter coming within the

- Rd. Unit #302, Everett, WA 98204, Ref 09-20322, filed on Oct 2. (Ch. 7)
- William Michael Tighe**, xxx-xx-3356; 31278 N.Cheyenne Dr., Queen Creek, AZ 85243, Ref 09-20323, filed on Oct 2. (Ch. 7)
- Christine Ann Elledge, Keith Micheal Elledge**, xxx-xx-5856, xxx-xx-9461; 157 1st St, Gold Bar, WA 98251, Ref 09-20324, filed on Oct 2. (Ch. 13)
- Jennifer Ann Mayer, John Reynolds Mayer**, xxx-xx-0081, xxx-xx-6212; 17605 80th Drive NE, Arlington, WA 98223, Ref 09-20325, filed on Oct 2. (Ch. 13)

- FILED IN TACOMA**
- Rhonda Lee Wolf, Darrel Joseph Wolf**, xxx-xx-0269, xxx-xx-2658; 3906 H St., Vancouver, WA 98663, Ref 09-47380, filed on Oct 2. (Ch. 7)
- Scott Steven Bauer, Erin Jean Bauer**, xxx-xx-5552, xxx-xx-9404; 1200 NE 124th Ave., Vancouver, WA 98684, Ref 09-47381, filed on Oct 2. (Ch. 7)
- Amanda Bernice Wood**, xxx-xx-4796; 2716 NE Burton Rd., Vancouver, WA 98662, Ref 09-47382, filed on Oct 2. (Ch. 7)
- Andrea Faith Bonife, Andrew Warren Bonife**, xxx-xx-5066, xxx-xx-8108; 16911 NE 21st St., Vancouver, WA 98684, Ref 09-47383, filed on Oct 2. (Ch. 7)
- Tiffany Ann-Loving Nugent, Thomas Michael Nugent**, xxx-xx-0007, xxx-xx-4071; 4242 Addy Loop, Washougal, WA 98671, Ref 09-47384, filed on Oct 2. (Ch. 13)
- Anna Jewel Emerson, Charles Michael Emerson**, xxx-xx-6026, xxx-xx-8050; 8108 NE 148th Ave, Vancouver, WA 98682, Ref 09-47385, filed on Oct 2. (Ch. 7)
- Susan Joy Bramlette**, xxx-xx-8721; 2250 NW Flanders St. #310, Portland, OR 97210, Ref 09-47386, filed on Oct 2. (Ch. 13)
- Robert Dennis Schneider**, xxx-xx-8375; 13008 NE 83rd St., Vancouver, WA 98682, Ref 09-47387, filed on Oct 2. (Ch. 13)
- Laura Charlene Waddle**, xxx-xx-0046; 150 River Ridge Ln., Kalama, WA 98625, Ref 09-47388, filed on Oct 2. (Ch. 7)
- Dennis Lee Larsen**, xxx-xx-6855; 9717 Pacific Ave #9, Tacoma, WA 98444, Ref 09-47389, filed on Oct 2. (Ch. 13)
- Denise Cherilyn Gordon**, xxx-xx-0117; 10120 218th Ave. E, Bonney Lake, WA 98391, Ref 09-47390, filed on Oct 2. (Ch. 7)
- Eldon Ray Dodson, Robin Sue Lende Dodson**, xxx-xx-6108, xxx-xx-6391; 4509 NE 137th Ave., Vancouver, WA 98682, Ref 09-47391, filed on Oct 2. (Ch. 7)
- Jeanette J. Bell, Jerry M. Bell**, xxx-xx-2157, xxx-xx-9627; 10101 194th Avenue E, Bonney Lake, WA 98391, Ref 09-47392, filed on Oct 2. (Ch. 7)
- Laura Ann Clairmont**, xxx-xx-0696; 95 Hazel Dell Rd., Castle Rock, WA 98611, Ref 09-47393, filed on Oct 2. (Ch. 7)
- Bradley Earl Gubitz**, xxx-xx-9570; 1212 NE 98th Ave, Vancouver, WA 98664, Ref 09-47394, filed on Oct 2. (Ch. 7)
- Kathleen Kameleh Koskie**, xxx-xx-5384; 24307 75th St E, Buckley, WA 98321, Ref 09-47395, filed on Oct 2. (Ch. 13)
- Gretchen Michelle Reuter**, xxx-xx-8185; 4600 NE 130th Ave, Vancouver, WA 98682, Ref 09-47396, filed on Oct 2. (Ch. 7)
- Kenny T Pham, Hue T Diep**, xxx-xx-1175, xxx-xx-8863; 9106 NE 40th Ave, Vancouver, WA 98665, Ref 09-47397, filed on Oct 2. (Ch. 13)
- Heather Dawn Reed**, xxx-xx-3519; 18705 B St E, Spanaway, WA 98387, Ref 09-47398, filed on Oct 2. (Ch. 7)
- NE 58th Pl, Kirkland, WA 98033**, Ref 09-20287, filed on Oct 2. (Ch. 13)
- Aurora Zoila Cruz, Luis Alfredo Velasquez**, xxx-xx-3527, xxx-xx-6944; 29645 18th Ave S #E302, Federal Way, WA 98003, Ref 09-20288, filed on Oct 2. (Ch. 7)
- Carly J. Wood, Keith W. Wood**, xxx-xx-1571, xxx-xx-3964; 24720 SE Mirromont Pl, Issaquah, WA 98027, Ref 09-20289, filed on Oct 2. (Ch. 7)
- Melissa Gordon**, xxx-xx-2872; 7683 SE 27th St # 308, Mercer Island, WA 98040, Ref 09-20290, filed on Oct 2. (Ch. 11)
- David R Gellinas**, xxx-xx-3357; P O Box 548, Snohomish, WA 98291, Ref 09-20291, filed on Oct 2. (Ch. 13)
- Douglass Nevill**, xxx-xx-8855; 3215 McDougal St, Port Angeles, WA 98362, Ref 09-20292, filed on Oct 2. (Ch. 13)
- Vance Mitchell Mattix, Tuesday Ray Mattix**, xxx-xx-2691, xxx-xx-7152; PO Box 122, Joyce, WA 98343, Ref 09-20293, filed on Oct 2. (Ch. 7)
- Jessica Lynn Schmidt, Justin Todd Schmidt**, xxx-xx-5782, xxx-xx-9531; 18619 Butternut Rd, Lynnwood, WA 98037, Ref 09-20294, filed on Oct 2. (Ch. 7)
- Arturo R Recuenco**, xxx-xx-2258; 3502 NE 123rd St, Seattle, WA 98125, Ref 09-20295, filed on Oct 2. (Ch. 7)
- Donna M De Paola**, xxx-xx-0171; 12505 SE 80th Way, Newcastle, WA 98056, Ref 09-20296, filed on Oct 2. (Ch. 13)
- Darrin Lee Petersen**, xxx-xx-9692; PO box 13547, Des Moines, WA 98198, Ref 09-20297, filed on Oct 2. (Ch. 7)
- Jeffery Gerald Jackson, Donna Henry Jackson**, xxx-xx-7591, xxx-xx-9030; 5240 West Francis Street, Bremerton, WA 98312, Ref 09-20298, filed on Oct 2. (Ch. 7)
- Sue Lor**, xxx-xx-9101; 1906 S 107th St, Seattle, WA 98168, Ref 09-20299, filed on Oct 2. (Ch. 7)
- Kristin Marie Klein**, xxx-xx-5986; 4314 236th St SW #T105, Mountlake Terrace, WA 98043, Ref 09-20300, filed on Oct 2. (Ch. 13)
- Sheri Ann Swanson**, xxx-xx-7937; 1117 130th St SE, Everett, WA 98208, Ref 09-20301, filed on Oct 2. (Ch. 7)
- Maybelline S Torres**, xxx-xx-5606; 11720 57th Ave SE, Snohomish, WA 98296, Ref 09-20302, filed on Oct 2. (Ch. 7)
- Tatiana Brodiski**, xxx-xx-8591; 1124 21st Ave S, Seattle, WA 98144, Ref 09-20303, filed on Oct 2. (Ch. 7)
- Maria Teresa Staveley**, xxx-xx-4017; 3813 104th St NE, Marysville, WA 98271, Ref 09-20304, filed on Oct 2. (Ch. 13)
- Charlie J Berlin**, xxx-xx-2167; 21913 S River Dr, Granite Falls, WA 98252, Ref 09-20305, filed on Oct 2. (Ch. 13)
- Terra Nielsen, Erik R. Nielsen**, xxx-xx-1381, xxx-xx-8003; 2247 - 250th Pl SE, Sammamish, WA 98075, Ref 09-20306, filed on Oct 2. (Ch. 7)
- Barbara May Fangen**, xxx-xx-2759; 720 S Charleston AVE W, Bremerton, WA 98312, Ref 09-20307, filed on Oct 2. (Ch. 7)
- Talib Hussain Basha**, xxx-xx-5866; 3506 253 Rd Court Se, Issaquah, WA 98029, Ref 09-20308, filed on Oct 2. (Ch. 7)
- Colleen Marie Monfross**, xxx-xx-2281; 7545 Princeville St, Gilroy, CA 95020, Ref 09-20309, filed on Oct 2. (Ch. 13)
- Nicole Joy Goman, Benjamin Goman**, xxx-xx-5385, xxx-xx-6105; 6901 NE 187th Place, #104, Kenmore, WA 98028, Ref 09-20310, filed on Oct 2. (Ch. 7)
- Craig R Sinclair, Bethany A Sinclair**, xxx-xx-0750, xxx-xx-5775; 13316 Corliss Ave. N, Seattle, WA 98133, Ref 09-20311, filed on Oct 2. (Ch. 7)