

October 5, 1994

Introduced By: Kent Pullen

regnte.jc

Proposed No.: 94-628

MOTION NO. **9406**

A MOTION relating to regulatory notes

WHEREAS, in June, 1994, the council approved Motion 9319 establishing criteria to guide the development, review and adoption of regulatory ordinances and requesting the county executive to transmit a regulatory note with proposed regulatory ordinances, and

WHEREAS, the purposes of the regulatory note are to help ensure that the criteria contained in Motion 9319 are considered when a regulatory ordinance is being developed and to provide the council with an additional tool to evaluate a proposed regulatory ordinance, and

WHEREAS, the council has determined that accomplishing these purposes and effectively implementing Motion 9319 requires a definition of a "regulatory ordinance", a prescribed form for the regulatory note, and general rules for preparing and using regulatory notes;

NOW, THEREFORE BE IT MOVED by the Council of King County:

A. The council hereby approves the following definition of regulatory ordinance, for the purposes of implementing Motion 9319: A regulatory ordinance is an ordinance which:

1. If violated, subjects a person outside county employment to a civil or criminal penalty;
2. Subjects a person outside of county employment to the payment of a fee, which is used to implement a program promoting public safety, health and welfare;
3. Establishes, or adds to any existing procedure, practice or requirement or regulatory action;



1 4. Establishes, or adds to any existing qualifications
2 or standards for the issuance, suspension or revocation of
3 licenses to pursue any commercial activity, trade or
4 profession; or

5 5. Establishes or places additional controls on
6 development or land use activities, including, but not
7 limited to, zoning ordinances, official controls, planned
8 unit development ordinances, subdivision ordinances and
9 binding site plan ordinances. (Quasi-judicial decisions
10 concerning land use permit applications, however, are not
11 regulatory.)

12 B. The council hereby approves the attached regulatory note
13 form for use in implementing Motion 9319.

14 C. The council hereby approves the following general rules
15 for the preparation and use of regulatory notes:

16 1. All proposed ordinances that meet the definition of
17 regulatory ordinance as found in section A of this Motion
18 should be accompanied by a regulatory note.

19 2. The executive should include a regulatory note along
20 with any proposed regulatory ordinances transmitted to the
21 council for review and approval. If the proposed regulatory
22 ordinance is initiated by the council, a regulatory note
23 should accompany the proposed ordinance when it is submitted
24 to the clerk for introduction.

25 3. The council committee staff report for the proposed
26 ordinance should include a copy of the regulatory note and
27 committee staff comments on the regulatory note as necessary.

1 If the proposed regulatory ordinance is amended, a revised
2 regulatory note is not required.

3 PASSED by a vote of 12 to 1 this 17th day of
4 October, 1994.

5 KING COUNTY COUNCIL
6 KING COUNTY, WASHINGTON

7 Kent Pullen
8 Chair

9 ATTEST:

10 Gerald A. Peterson
11 Clerk of the Council
12
13

14 Attachment: Metropolitan King County Council, Regulatory
15 Note, Checklist of Criteria (Motion 9319)
16

METROPOLITAN KING COUNTY COUNCIL
REGULATORY NOTE
CHECKLIST OF CRITERIA (Motion 9319)

9406

Proposed No. _____

Prepared By: _____

Date: _____

This checklist should accompany all regulatory ordinances which meet the definition contained in Motion 9319 and Motion _____. The main purpose of the regulatory note is to help ensure that the questions contained in the checklist are considered when a regulatory ordinance is being developed. The questions in the regulatory note may be answered with a "Yes", "No" or "not applicable", along with one or two brief explanatory sentences.

YES	NO	N/A
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1. **NEED:** Does the proposed regulation respond to a specific, identifiable need?

If so, is county government the most appropriate organization to address this need?

2. **ECONOMY AND JOB GROWTH:** Has the economic impact of the proposed regulation been reviewed to ensure it will not have along-term adverse impact on the economy and job growth in King County?

3. **PURPOSE:** Is the purpose of the proposed ordinance clear?

Are the steps for implementation clear?

4. **EVALUATION:** Does the proposed ordinance identify specific measurable outcomes that the proposed regulation should achieve?

(CONTINUED)

YES NO N/A

Is an evaluation process identified?

5. INTERESTED PARTIES: Has adequate collaboration occurred with all those affected by the proposed regulation (including the public, the regulated and the regulators)?

6. COSTS AND BENEFITS: Will the proposed regulation achieve the goal with the minimum cost and burden?

Has the cost of not adopting the proposed regulation been considered?

Do the benefits of the proposed regulations outweigh the costs?

7. VOLUNTARY COMPLIANCE: Does the proposed ordinance inspire voluntary compliance?

8. CLARITY: Is the proposed ordinance written clearly and concisely, without ambiguities?

9. CONSISTENCY: Is the proposed regulation consistent with existing federal, state and local statutes?