

October 16, 1997  
Sheriff Code Revisions II  
clerk 10/16/97

Introduced By: Kent Pullen

Proposed No.: 97-638

ORDINANCE NO. **12904**

A ORDINANCE revising the King County Code to reflect the new elective office of King County sheriff and amending Ordinance 12075, Section 9, Ordinance 9206, Section 1, Ordinance 5655, Sections 3 and 4, Ordinance 4257, Section 2, Ordinance 10278, Sections 10, 12 and 14, Ordinance 9078, Section 4, K.C.C. 2.36.040, K.C.C. 3.24.010, K.C.C. 12.32.040, K.C.C. 12.32.050, K.C.C. 12.46.020, K.C.C. 46.08.100, 46.08.130, and 46.08.134, and K.C.C. 46.10.040, as amended.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 12075, Section 9, and King County Code 2.36.040, is hereby amended as follows:

**Data processing policy review committee.**

A. There is created a data processing policy review committee consisting of one member from each of the following: council, executive, major department heads to be appointed by the executive, prosecuting attorney, assessor, sheriff, a judicial representative appointed by the presiding judge of the superior court, and ex officio members from the information and telecommunications services division and office of county auditor. The manager of information and telecommunications services division shall be executive secretary to the committee. The members of the committee shall select a chairperson who shall serve at the pleasure of the committee.

B. The data processing policy review committee shall be responsible to:

1. Review short and long range plans for application and equipment;
2. Promote standardization of systems efforts throughout the county;
3. Review all new systems development for complete justification based on cost and need;
4. Establish priorities for system development;

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- 1 5. Review allocation of hardware and software between users;
- 2 6. Recommend budgetary changes to council when revised appropriations are required;
- 3 7. Insure compatibility between systems to avoid overlapping and inflexible systems;
- 4 8. Develop procedures to assure adequate user involvement;
- 5 9. Assure adequate internal controls and audit trails exist;
- 6 10. Advise on general matters pertaining to data processing applications
- 7 11. Not review requests for services costing less than one thousand dollars in total; and
- 8 12. Establish administrative procedures for documentation of every major county

9 electronic data processing system that meets the requirements for the general public, the using  
10 department(s) and state and county auditor(s); the documentation to be maintained and kept current  
11 by the manager of information and telecommunications services in a library area conveniently located  
12 for public use and other interested parties; a current copy of such administrative procedures shall be  
13 sent to members of the county council, county auditor and the library area.

14 C. The data processing policy review committee shall adopt administrative procedures to  
15 handle data processing requirements and shall make available copies to the council.

16 D. The data processing policy review committee shall recommend the initiation of proposed  
17 EDP projects or operational programs to the executive except when the council representative  
18 determines that such action should be referred to the council. The councilmember has the right to  
19 defer action on a proposal until the council approves the policy regarding the proposed system.

20 E. Presentations of major systems development shall be made at least biannually before the  
21 council.

22 SECTION 2. Ordinance 9206, Section 1, and King County Code 3.24.010, is hereby  
23 amended as follows:

24 **Definitions.**

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1 All words shall have their ordinary and usual meanings except those defined in this section  
2 which shall have the meaning set forth below.

3 A. "County agency" shall mean any office or department of the executive branch  
4 responsible to the county executive, the departments of judicial administration, public safety, and  
5 assessments, the office of the prosecuting attorney, the council and subordinate units of the legislative  
6 branch, and the components of the judicial branch.

7 B. "Travel" shall consist of lodging, subsistence, transportation, seminar/meeting attendance  
8 and related activities in the conduct of official county business.

9 C. "Official county business" shall mean, but not be limited to:

10 1. conducting legitimate county business such as fulfilling normal job functions,  
11 negotiating agreements, inspecting or purchasing equipment, coordinating with other governmental  
12 agencies, serving on interview or judging panels, and providing consultation; or

13 2. obtaining information or training directly related to a person's official function; or

14 3. serving as an official representative of King County.

15 D. "Presiding elected official" shall mean the county executive, the county assessor, the  
16 prosecuting attorney, the county sheriff, the chair of the county council, and the presiding judges of  
17 the superior and district courts. (Ord. 9206 § 1, 1989).

18 SECTION 3. Ordinance 5655, Section 3 and King County Code 12.32.040, is hereby  
19 amended as follows:

## 20 **False Alarm - First Response.**

21 For a response to premises at which no other false alarm has occurred within any calendar  
22 month, hereinafter referred to as a "first response," no fee shall be charged, but the person having or  
23 maintaining such burglary or robbery alarm shall within three working days notice to do so make a  
24 written report to the (~~Sheriff Director~~) sheriff on forms prescribed by him setting forth the cause of

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1 such false alarm, the corrective action taken and such other information as the ((~~Sheriff Director~~))  
2 sheriff may require to determine the cause of such false alarm and corrective action necessary.

3 SECTION 4. Ordinance 5655, Section 4, and King County Code 12.32.050, is hereby  
4 amended as follows:

5 **False alarm - Civil penalty.**

6 Any person or business, through error, omission, or mechanical failure which causes two or  
7 more false alarms in any calendar month shall commit an infraction punishable by a civil penalty.

8 The penalty for the second false alarm shall be fifty dollars. The penalty for the third and successive  
9 false alarms shall be one hundred dollars. Any succeeding false alarms as a result of failure to take  
10 the necessary corrective action and/or any non-payment of any false alarm charges may result in the  
11 ((~~Sheriff Director~~)) sheriff ordering the disconnection of such alarm until such corrective action is  
12 taken and/or any outstanding charges are paid; provided that no disconnection shall be ordered as to  
13 any premises required by law to have an alarm system in operation.

14 SECTION 5. Ordinance 4257, Section 2 and King County Code 12.46.020, is hereby  
15 amended as follows:

16 **Definitions.**

17 As used in this chapter, the following words and terms shall have the meanings set forth herein:

18 A. "Anchorage" means a designated position where vessels or watercraft may anchor or moor.

19 B. "Anchor" means the act of making a vessel, watercraft or obstruction secure to the bed of  
20 any body of water through use of a direct connection between the vessel, watercraft or obstruction  
21 and the bed.

22 C. "Boat" means any contrivance up to sixty-five feet in length overall, used or capable of  
23 being used as a means of transportation on water.

24 D. "Director" means the sheriff((~~director~~)) of the King County department of public safety or  
25 his designee.

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1 E. "Master" means the captain, skipper, pilot or any other person having charge of any vessel  
2 or watercraft and shall include any agent or employee of such person.

3 F. "Moor" means the act of securing a vessel, watercraft or obstruction either to a lawfully  
4 installed pier or to a lawfully installed anchored buoy or float.

5 G. "Obstruction" means any vessel or watercraft or any matter which may in any way  
6 blockade, interfere with or endanger any vessel or watercraft or impede navigation, or which cannot  
7 comply with the "Pilot Rules for Certain Inland Waters of the Atlantic and Pacific Coasts and of the  
8 Coast of the Gulf of Mexico".

9 H. "Owner" means the person who has lawful possession of a vessel or watercraft or  
10 obstruction by virtue of legal title or equitable interest therein which entitles him to such possession,  
11 and includes any agent or employee of such person.

12 I. "Person" means and includes natural persons, associations, copartnerships and corporations,  
13 whether acting by themselves or by a servant, agent or employee; the singular number, when  
14 necessary, means the plural, and the masculine pronoun includes the feminine.

15 J. "Pier" means any pier, dock, wharf or other structure built in or over or floating upon the  
16 water, extending from the shoreline, which may be used as a landing place to promote the loading or  
17 unloading of vessels or watercraft for recreational or commercial purposes.

18 K. "Vessel" means any contrivance one hundred ten feet or more in length overall, used or  
19 capable of being used as a means of transportation on water.

20 L. "Watercraft" means any contrivance less than one hundred ten feet in length overall and at  
21 least sixty-five feet in length overall, used or capable of being used as a means of transportation on  
22 water. Aircraft, cribs or piles, shinglebolts, booms of logs, rafts of logs and rafts of lumber shall not  
23 be included within the terms "watercraft" or "vessel", but shall be included within the term  
24 "obstruction" when they are anchored or moored and obstructing any navigable channel.

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1            SECTION 6. Ordinance 10278, Section 10 and King County Code 46.08.100 is hereby  
2 amended as follows:

3            **Post impoundment hearing procedure.**

4            A. In accordance with RCW 46.55.240(1)(d), the sheriff(~~director~~) of the King County  
5 department of public safety shall appoint one or more administrative hearing officers to conduct the  
6 post impound hearings requested pursuant to K.C.C. 46.08.080. Such hearing officer shall determine  
7 whether the impoundment was proper and whether the towing and/or storage fees charged in  
8 connection with the impound were proper.

9            B. At the hearing, the King County department of public safety may produce any relevant  
10 evidence to show that the impound and/or fees were proper. The officer's impound report and the  
11 towing contractor's impound receipts may be received in evidence. In determining whether the fees  
12 charged were proper, the hearing officer may take notice of the towing contractor's rates.

13            C. At the hearing, the person who requested the hearing may produce any relevant evidence to  
14 show that the impound and/or fees were not proper.

15            D. If the impoundment is found to be proper, the hearings officer shall enter an order so  
16 stating. If the costs of impoundment have not been paid, the hearing officer's order shall also provide  
17 that the impounded vehicle shall be released only after payment of the costs of impoundment to the  
18 towing contractor.

19            E. If the impoundment is found to be improper, the hearing officer shall enter an order so  
20 stating and shall order the immediate release of the vehicle. If the costs of impoundment have already  
21 been paid, the hearing officer shall enter an order against the county and in favor of the person who  
22 has paid the costs of impoundment in the amount of the costs of the impoundment plus interest at the  
23 rate of 12% per annum from the date that person paid such costs, and the county shall comply with  
24 such order. If the costs of impoundment have not been paid, the hearing officer shall enter an order

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1 directing the county to pay such costs to the towing contractor, and the county shall comply with such  
2 order.

3 F. If the hearing officer finds that the impoundment was proper, but that the towing and/or  
4 storage fees were improper, the hearing officer shall determine the correct fees to be charged. If the  
5 costs of impoundment have not been paid, the hearing officer shall order the release of the vehicle  
6 upon payment of the correct impoundment fees as determined by the hearing officer. If the costs of  
7 impoundment have been paid, the hearing officer shall enter an order against the county and in favor  
8 of the person who has paid the costs of impoundment for the amount of the overpayment plus interest  
9 at the rate of 12% per annum on the overpayment from the date that person paid such costs, and the  
10 county shall comply with such order. The towing contractor shall be liable to the county for the  
11 amount of such overpayment and interest at the rate of 12% per annum. The towing contractor shall  
12 make such payment to the county no later than sixty days after it receives notice of such requirement  
13 to pay. The county may bring an action in the King County district court against the towing  
14 contractor to recover such overpayment plus interest at the rate of 12% per annum.

15 G. In accordance with RCW 46.55.240(1)(d), a decision made by an administrative hearing  
16 officer may be appealed to the King County district court for final judgment.

17 SECTION 7. Ordinance 10278, Section 12 and King County Code 46.08.130 is hereby  
18 amended as follows:

19 **Contracts for towing and storage.**

20 The county executive, or his designee, may enter into contracts with towing contractors to  
21 provide towing and storage services on request of the King County department of public safety  
22 pursuant to this chapter. Such contracts shall be at no cost to the county and shall provide that the  
23 towing contractor may recover the costs of towing and storage only from the person seeking to  
24 redeem the impounded vehicle, or from the proceeds of sale of an unclaimed vehicle pursuant to  
25 K.C.C. 46.08.110, and that the county shall not be responsible for payment of such costs except upon

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1 order of the administration hearing officer pursuant to K.C.C. 46.08.100. The sheriff(~~director~~) may  
2 specify that towing services obtained by the department of public safety will be on a rotational or  
3 other basis in specific geographic areas in the county. The sheriff(~~director~~) may specify the rates  
4 towing contractors may charge persons seeking to redeem impounded vehicles for towing and storage  
5 services provided pursuant to this chapter.

6 SECTION 8. Ordinance 10278, Section 14 and King County Code 46.08.134 is hereby  
7 amended as follows:

8 **Towing contractor standards.**

9 The sheriff(~~director~~) of the King County department of public safety is authorized and  
10 directed to adopt standards that carry out the provisions and intent of this chapter. Towing contractors  
11 are required to comply with such standards.

12 SECTION 9. Ordinance 9078, Section 4 and King County Code 46.10.040 is hereby  
13 amended as follows:

14 **No cruising--targeted enforcement.**

15 The county sheriff(~~director~~) of public safety or his designee shall determine when a no  
16 cruising area has become so congested by traffic as to present a danger of traffic congestion,  
17 obstruction of streets, sidewalks or parking lots, impediment of access to shopping centers or other  
18 buildings open to the public, interference with the use of property or conduct of business in the area  
19 adjacent thereto, or emergency vehicles not being able to respond in that area within a reasonable



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1 period of time. The county sheriff or his designee shall then direct that no cruising signs shall be  
2 erected or installed and maintained until the congestion has lessened to an acceptable degree.

3 INTRODUCED AND READ for the first time this 20<sup>th</sup> day of  
4 October, 1997

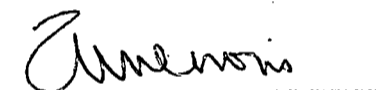
5 PASSED by a vote of 12 to 0 this 27<sup>th</sup> day of October, 1997.

6 KING COUNTY COUNCIL

7 KING COUNTY, WASHINGTON

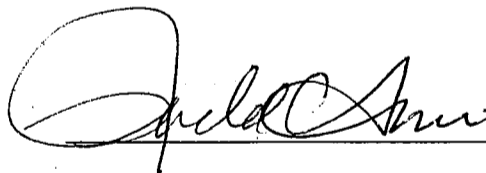
8   
9 Chair

10 ATTEST:

11 

12 Clerk of the Council

13 APPROVED this 6 day of November, 1997.

14 

15 King County Executive

16 Attachments: None