



**CITY OF BLACK DIAMOND**  
**September 15, 2011 Meeting Agenda**  
25510 Lawson St., Black Diamond, Washington

**7:00 P.M. – CALL TO ORDER, FLAG SALUTE, ROLL CALL**

**PUBLIC COMMENTS:** Persons wishing to address the City Council regarding items of new business are encouraged to do so at this time. When recognized by the Mayor, please come to the podium and clearly state your name and address. Please limit your comments to 3 minutes. If you desire a formal agenda placement, please contact the City Clerk at 360-886-2560. Thank you for attending this evening.

**PUBLIC HEARINGS:**

**APPOINTMENTS, PRESENTATIONS, ANNOUNCEMENTS**

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

- |   |              |
|---|--------------|
| 1) <b>AB11-055</b> – Ordinance Amending the Black Diamond Municipal Code Regarding Solicitor's Code | Ms. Donlan   |
| 2) <b>AB11-056</b> – Ordinance Repealing BDMC Regarding Amusement Devices Licenses                  | Ms. Donlan   |
| 3) <b>AB11-057</b> – Ordinance Repealing BDMC Regarding Cabaret Licenses                            | Ms. Donlan   |
| 4) <b>AB11-058</b> – Resolution Amending the City Fee Schedule                                      | Ms. Donlan   |
| 5) <b>AB11-059</b> – Suggested Rules of Procedure for DA Closed Record Hearings                     | Mayor Olness |

**DEPARTMENT REPORTS:**

**MAYOR'S REPORT:**

**COUNCIL REPORTS:**

**ATTORNEY REPORT:**

**PUBLIC COMMENTS:**

**CONSENT AGENDA:**

- 6) **Claim Checks** – September 15, 2011, No. 37383 through No. 37425 (voided No. 37385) in the amount of \$102,369.53
- 7) **Payroll Checks** – August 30, 2011 No. 17519 through No. 17545 (voided No. 17527) and ACH Payment for a total amount of \$286,703.25
- 8) **Minutes** – Special Council / Workstudy Meeting of August 30, 2011

**EXECUTIVE SESSION:**

**ADJOURNMENT:**

# CITY COUNCIL AGENDA BILL

City of Black Diamond  
Post Office Box 599  
Black Diamond, WA 98010

ITEM INFORMATION			
<b>SUBJECT:</b> <b>Ordinance 11-965, repealing and replacing BDMC 5.12 to clarify the criteria under which a solicitor license may be issued and exceptions to the requirements.</b>	Agenda Date: September 15, 2011		AB11-055
	Department/Committee/Individual	Created	Reviewed
	Mayor Rebecca Olness		X
	City Administrator –		
	City Attorney –Chris Bacha		X
	City Clerk – Brenda L. Martinez		X
	Finance – May Miller		X
	Public Works – Seth Boettcher		
	Economic Devel. – Andy Williamson		
	Police – Jamey Kiblinger		
Cost Impact: No Impact on Current Fees	Court – Stephanie Metcalf		
Fund Source: N/A	Comm. Dev. – Amy Donlan	X	
Timeline: 5 Days after Publication			
Attachments: Ordinance No. 11-965, Redline version of Ordinance 11-965			
<p><b>SUMMARY STATEMENT:</b></p> <p>Chapter 5.12 of the Black Diamond Municipal Code establishes the requirement for a person, firm or corporation to obtain a solicitor license from the City. The current code does not clearly identify organizations or non-profits that are exempt from these code requirements. Additionally the criteria for approving a solicitor license is arbitrary and without specific guidelines.</p> <p>The recommended amendments to the solicitor code will clearly identify the types of businesses required to attain a solicitor license. It will also set up specific guidelines that will be used to determine approval or denial of the application.</p>			
<p><b>COMMITTEE REVIEW AND RECOMMENDATION:</b> The Finance Committee has reviewed and recommended approval.</p>			
<p><b>RECOMMENDED ACTION:</b> <b>MOTION to adopt Ordinance 11-965, repealing and replacing Chapter 5.12 of the Black Diamond Municipal Code to clarify the criteria under which a solicitor license may be issued and any exceptions to the code requirements.</b></p>			
RECORD OF COUNCIL ACTION			
Meeting Date	Action	Vote	
September 15, 2011			

# CITY OF BLACK DIAMOND WASHINGTON

ORDINANCE NO. 11-965

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**AN ORDINANCE OF THE CITY OF BLACK DIAMOND, WASHINGTON, RELATING TO BUSINESS LICENSES FOR SOLICITORS; AMENDING CHAPTER 5.12 "SOLICITORS," BY REPEALING AND REPLACING IN ITS ENTIRETY CHAPTER 5.12; REQUIRING A SOLICITOR'S LICENSE, IMPOSING LICENSE FEES, LIMITING SOLICITATION HOURS, PROVIDING FOR THE RIGHT TO APPEAL, AND, ESTABLISHING PENALTIES FOR VIOLATIONS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE**

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**WHEREAS**, code cities have authority under their police power to license and regulate door-to-door peddlers and solicitors and to impose reasonable license fees that bear a reasonable relationship to public health, safety, and welfare; and

**WHEREAS**, the Black Diamond Municipal Code ("BDMC") solicitor license provisions were first enacted in 1974 (codified at Ch 5.12 BDMC) and have not been revised in several years; and

**WHEREAS**, such regulations must include exceptions for first amendment protected activities and activities otherwise protected under state law,

**WHEREAS**, since adoption of the solicitor license provisions by the City in 1974 there have been many developments in the regulation of solicitors that should be reflected in the BDMC; and

**WHEREAS**, the City Council finds that it is necessary to regulate solicitors by requiring a background check and solicitor's license and restricting their selling hours and duration for the purpose of preventing fraud, crime, undue public annoyance, and unethical and dishonest solicitation and canvassing practices within the City; and

**WHEREAS**, all application fees to be charged for the issuance of solicitor licenses are not to be considered as revenue, but are charges for the purpose of covering the expenses of administering this article.

**WHEREAS**, the Black Diamond City Council finds it is in the best interest of the public health, safety, and general welfare of its citizens to update its solicitor licensing code for the purpose of regulating and licensing solicitors;

**NOW, THEREFORE**, the City Council of the City of Black Diamond, Washington, do ordain as follows:

**Section 1. BDMC Chapter 5.12, Solicitors, Repealed and Replaced.** Black Diamond Municipal Code Chapter 5.12, Solicitors, is hereby repealed its entirety and re-enacted to read as follows:

**5.12.010 – Definitions.**

For the purpose of this chapter, the following terms shall have the meanings respectively ascribed to them in this section:

A. “Solicitor” means any individual who, without prior invitation from the occupant, goes from house to house, or place to place, in the city, selling or taking orders for, or offering to sell or take orders for, goods, wares, merchandise or services, for present or future delivery, or for the making, manufacturing or repairing of any article or thing whatsoever, for present or future delivery except those selling to merchants for resale.

B. “Bona fide,” in defining those religious, charitable, political, educational, and community service organizations not operated for profit which are exempt from licensing requirements, means those organizations which are entitled to that status under the Internal Revenue Code which allows a taxpayer to declare gifts to such organizations as a charitable deduction.

C. “Person” means any individual, partnership, firm, company, society, association, club or other group or organization acting by themselves or by a servant, agent or employee.

**5.12.020 – License – Required– Exceptions.**

It is unlawful for any person to act as a solicitor within the meaning and application of this chapter unless such person shall have first secured a license therefore in the manner provided for by this chapter. It is a violation of this chapter to solicit without a valid license or to solicit on premises that conspicuously display a “no solicitors” sign, or a sign with similar language. Provided, this chapter shall not apply to solicitors for bona fide religious, charitable, political, educational, community service organizations, or farmers, gardeners, producers or manufacturers of farm produce and edibles, nor shall this chapter apply to vendors of books, periodicals or newspapers. The requirement for a solicitor’s license is in addition to the general business license required pursuant to BDMC Chapter 2.58.

**5.12.030 – License – Fees.**



An applicant may apply for a 30-day or an annual solicitor's license. The license fees for solicitors shall be, paid in advance without pro-ration, in the amount set forth in the city's consolidated list of fees, as authorized in BDMC 2.62.010. A separate fee shall be required for each individual solicitor's license applicant.

**5.12.040 – License – Application.**

A. Any person desiring to secure a solicitor's license shall apply therefore in writing on forms provided by the city, and the application shall state as to each applicant as follows:

1. The name, telephone number, social security number, date of birth, and address of each applicant;
2. The name, telephone number, and address of the person by whom employed;
3. The nature or character of the goods, wares, merchandise or service to be offered; and
4. A personal description of each applicant.

B. The application shall be accompanied by a copy of the driver's license or Washington State identification card of each applicant; provided that, other evidence of identity may reasonably be required by the city clerk or his or her designee to verify the identity of the applicant. All applicants for a solicitor's license shall consent to a criminal background check as provided on the application form.

**5.12.050 – License – Issuance – Expiration.**

A. If the City Clerk or his or her designee determines after an investigation that the facts in the application are true, that none of the criteria set forth in subsection (B) apply, and that the applicant proposes to engage in a lawful and legitimate commercial or professional enterprise, he or she shall then approve the application and issue the license applied for. The 30-day license shall expire thirty (30) days after the date of issuance. The annual license shall expire at the end of the calendar year in which the license is issued. Except as provided in this chapter, no license shall be issued until the conclusion of an investigation. The Chief of Police is given the authority to fingerprint the applicant pursuant to RCW 35A.21.370.

B. The City Clerk or his or her designee shall deny a solicitor's license for any one of the following reasons:

1. The applicant or, if applicable, his or her employer failed to secure a valid business license in the City of Black Diamond pursuant to Chapter 2.58 BDMC;

2. The applicant has, within the previous ten years, been convicted of a crime or offense directly relating to his or her fitness for a solicitor license, and including, but not limited to, those crimes or offenses involving moral turpitude, fraud or misrepresentation;

3. The applicant has been charged with a crime or offense of the type defined in subsection (B)(1) of this section, and disposition of that charge is still pending;

4. The applicant has been refused a license under the provisions of this chapter; provided, however, that any applicant denied a license under the provisions of this chapter may reapply if and when the reasons for denial no longer exist; or

5. The applicant made any false or misleading statements in the application.

**5.12.060 – License – To be carried.**

The license shall be carried at all times by each solicitor for whom issued, when soliciting or canvassing in the city, and shall be exhibited by any such solicitor whenever requested to do so by any police officer or any person solicited.

**5.12.070 – License – Revocation.**

Any license issued under this chapter shall be revoked by the City Clerk or his or her designee whenever the solicitor or his or her employer ceases to possess the qualifications required by this chapter or violates any of the ordinances of the city or of any state or federal law, or otherwise, directly relating to his or her fitness for a solicitor's license. Any person who violates this chapter shall be subject to the penalties set forth in BDMC Section 1.12.010.

**5.12.080 – Appeal of License Denial or Revocation.**

Any person wishing to appeal a decision to deny or revoke a solicitor's license shall follow the appeal procedures for a business license denial or revocation set forth in BDMC Section 2.58.100.

**5.12.090 – Orders.**

All orders taken by licensed solicitors shall be in writing, stating the solicitor's name as it appears on the license, and address, of both the solicitor and his or her employer, the terms thereof, and the amount, if any, paid in advance, and one copy shall be given to the purchaser.

**5.12.100 – Time of solicitations.**

A. No solicitations shall be made except between the hours of ten a.m. and nine p.m.

B. No solicitations shall be made on city-recognized holidays.

**5.12.110 – Violation – Penalty.**

Any person found guilty of violating any part of this chapter shall be guilty of a misdemeanor, and upon conviction thereof, shall be subject to a fine not exceeding one hundred dollars and/or thirty days in jail.

**Section 2. Severability.** Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

**Section 3. Effective Date.** This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 15TH DAY OF SEPTEMBER, 2011.**

CITY OF BLACK DIAMOND

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Rebecca Olness, Mayor

ATTEST/AUTHENTICATED:

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Brenda L. Martinez, City Clerk

Approved as to form:

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Chris D. Bacha, City Attorney

Filed with the City Clerk:  
Passed by the City Council:  
Ordinance No.  
Date of Publication:  
Effective Date:

# CITY OF BLACK DIAMOND WASHINGTON

ORDINANCE NO. \_\_\_\_

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**AN ORDINANCE OF THE CITY OF BLACK DIAMOND, WASHINGTON, RELATING TO BUSINESS LICENSES FOR SOLICITORS; AMENDING CHAPTER 5.12 "SOLICITORS," BY REPEALING AND REPLACING IN ITS ENTIRETY CHAPTER 5.12; REQUIRING A SOLICITOR'S LICENSE, IMPOSING LICENSE FEES, LIMITING SOLICITATION HOURS, PROVIDING FOR THE RIGHT TO APPEAL, AND, ESTABLISHING PENALTIES FOR VIOLATIONS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE**

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**WHEREAS**, code cities have authority under their police power to license and regulate door-to-door peddlers and solicitors and to impose reasonable license fees that bear a reasonable relationship to public health, safety, and welfare; and

**WHEREAS**, the Black Diamond Municipal Code ("BDMC") solicitor license provisions were first enacted in 1974 (codified at Ch 5.12 BDMC) and have not been revised in several years; and

**WHEREAS**, such regulations must include exceptions for first amendment protected activities and activities otherwise protected under state law,

**WHEREAS**, since adoption of the solicitor license provisions by the City in 1974 there have been many developments in the regulation of solicitors that should be reflected in the BDMC; and

**WHEREAS**, the City Council finds that it is necessary to regulate solicitors by requiring a background check and solicitor's license and restricting their selling hours and duration for the purpose of preventing fraud, crime, undue public annoyance, and unethical and dishonest solicitation and canvassing practices within the City; and

**WHEREAS**, all application fees to be charged for the issuance of solicitor licenses are not to be considered as revenue, but are charges for the purpose of covering the expenses of administering this article.

**WHEREAS**, the Black Diamond City Council finds it is in the best interest of the public health, safety, and general welfare of its citizens to update its solicitor licensing code for the purpose of regulating and licensing solicitors;

**NOW, THEREFORE**, the City Council of the City of Black Diamond, Washington, do ordain as follows:

**Section 1. BDMC Chapter 5.12, Solicitors, Repealed and Replaced.** Black Diamond Municipal Code Chapter 5.12, Solicitors, is hereby repealed its entirety and re-enacted to read as follows:

**5.12.010 – Definitions.**

For the purpose of this chapter, the following terms shall have the meanings respectively ascribed to them in this section:

A. “Solicitor” means any individual person who, without prior invitation from the occupant, goes from house to house, or place to place, in the city, selling or taking orders for, or offering to sell or take orders for, goods, wares, merchandise or services, for present or future delivery, or for the making, manufacturing or repairing of any article or thing whatsoever, for present or future delivery except those selling to merchants for resale.

B. “Bona fide,” in defining those religious, charitable, political, educational, and community service organizations not operated for profit which are exempt from licensing requirements, ~~shall be means~~ those organizations which are entitled to that status under the Internal Revenue Code which allows a taxpayer to declare gifts to such organizations as a charitable deduction.

C. “Person” means any individual, partnership, firm, company, society, association, club or other group or organization acting by themselves or by a servant, agent or employee.

**5.12.020 – License – Required– Exceptions.**

It is unlawful for any person to act as a solicitor within the meaning and application of this chapter unless such person~~he or his employer~~ shall have first secured a license therefore in the manner provided for by this chapter. It is a violation of this chapter to solicit without a valid license or to solicit on premises that conspicuously display a “no solicitors” sign, or a sign with similar language. Provided, this chapter shall not apply to ~~unpaid~~ solicitors for bona fide religious, charitable, political, educational, ~~or~~ community service organizations, ~~or farmers, gardeners, producers or manufacturers of farm produce and edibles, nor shall this chapter apply to vendors of books, periodicals or newspapers.~~ The requirement for a solicitor’s license is in addition to the general business license required pursuant to BDMC Chapter 2.58.

~~not operated for profit when such organization has notified the city clerk-treasurer in writing of its intent to solicit within the city and has filed with the city~~

~~clerk-treasurer proof of its bona fide character as a religious, charitable, political, educational or community service organization nor shall this chapter apply to newsboys making solicitations for subscriptions to daily or weekly news publications.~~

**5.12.030 – License – Fees.**

~~An applicant may apply for a 30--day or an annual solicitor's license. The license fees for solicitors operating within the city shall be a daily, weekly or monthly fee, paid in advance without pro-ration, in the amount set forth in the city's consolidated list of fees, as authorized in BDMC 2.62.010. A separate fee shall be required for each individual solicitor's license applicant. It shall be discretionary with the solicitor to pay the fee on a daily, weekly or monthly basis. The fee shall be for each firm employing solicitors as defined in Section 5.12.010, for each day or fraction thereof for each solicitor.~~

**5.12.040 – License – Application.**

A. ~~Any person or firm~~ desiring to secure a solicitor's license shall apply therefore in writing ~~over his or her signature to the city clerk-treasurer on forms provided by the city, and the application shall state as to each solicitor applicant as follows:~~

1. ~~The name, telephone number, social security number, date of birth, and address of each solicitor applicant;~~

2. ~~The name, telephone number, and address of the person, firm or corporation by whom employed;~~

3. ~~The length of service of each solicitor with such employer;~~

4. ~~The place of residence and nature of the employment of each solicitor during the last preceding year;~~

5. ~~The nature or character of the goods, wares, merchandise or service to be offered by each solicitor; and~~

6. ~~The A personal description of each solicitor applicant;~~

7. ~~The solicitor's date of birth;~~

8. ~~The number and names of the solicitor's employees.~~

B. ~~The application shall be accompanied by a copy of the driver's license or Washington State identification card of each applicant; provided that, and other evidence of identity such credentials and other evidence of good moral character and identity of each solicitor as may reasonably be required by the city clerk-treasurer or his or her designee to verify the identity of the applicant. All applicants for a solicitor's license shall consent to a criminal background check as provided on the application form.~~

**5.12.050 – License – Issuance – Expiration.**

A. If the chief of police City Clerk or his or her designee determines after an investigation that the facts in the application are true, that none of the criteria set forth in subsection (B) apply, ~~that such solicitor is of good moral character, and that he the applicant~~ proposes to engage in a lawful and legitimate commercial or professional enterprise, he or ~~she~~ shall then approve the application; and the City Clerk-treasurer may issue the license applied for. The ~~30-day~~ license shall expire at the termination of the day for which the fee was paid, or at the termination of the month for which the fee was paid after a thirty (30) days after the date of issuance. The annual license shall expire at the end of the calendar year in which the license is issued. Except as provided in this cChapter, no license shall be issued until the conclusion of an investigation. The Chief of Police is given the authority to fingerprint the applicant pursuant to RCW 35A.21.370 if deemed necessary during the course of the investigation.

B. The City Clerk or his or her designee shall deny a solicitor's license for any one of the following reasons:

1. The applicant or, if applicable, his or her employer failed to secure a valid business license in the City of Black Diamond pursuant to Chapter 2.58 BDMC;

2. The applicant has, within the previous ten years, been convicted of a crime or offense directly relating to his or her fitness for a solicitor license, and including, but not limited to, those crimes or offenses involving moral turpitude, fraud or misrepresentation;

3. The applicant has been charged with a crime or offense of the type defined in subsection (B)(1) of this section, and disposition of that charge is still pending;

4. The applicant has been refused a license under the provisions of this chapter; provided, however, that any applicant denied a license under the provisions of this chapter may reapply if and when the reasons for denial no longer exist; or

5. The applicant made any false or misleading statements in the application.

#### **5.12.060 – License – To be carried.**

The license shall be carried at all times by each solicitor for whom issued, when soliciting or canvassing in the city, and shall be exhibited by any such solicitor whenever ~~he or she shall be required~~ requested to do so by any police officer or any person solicited.

#### **5.12.070 – License – Revocation.**



Any such license issued under this chapter shall be revoked by the City Clerk-treasurer or his or her designee whenever the solicitor or his or her employer in the judgment of the city council ceases to possess the character and qualifications required by this chapter for the issuance of such license by virtue of the violation by the employer or solicitor or violates any of the ordinances of the city or of any state or federal law, or otherwise, directly relating to his or her fitness for a solicitor's license. Any person who violates this chapter shall be subject to the penalties set forth in BDMC Section 1.12.010.

#### **5.12.080 – Appeal of License Denial or Revocation.**

Any person wishing to appeal a decision to deny or revoke a solicitor's license shall follow the appeal procedures for a business license denial or revocation set forth in BDMC Section 2.58.100.

#### **5.12.0890 – Orders.**

All orders taken by licensed solicitors shall be in writing, stating the solicitor's name as it appears on the license, and address, of both the solicitor and his or her employer, the terms thereof, and the amount, if any, paid in advance, and one copy shall be given to the purchaser.

#### **5.12.090 – Scales, weights and measures.**

The applicant for a license, if any scales, weights or measures are used in the selling of goods, wares, merchandise or services, shall present and file with his application a certificate from the State Department of Weights and Measures showing that all scales, weights and measures to be used by him in the license activity have been tested and found accurate and correct immediately prior to the filing of the application.

#### **5.12.100 – Time of solicitations.**

A. No solicitations shall be made except between the hours of ten a.m. and seven-nine p.m.

B. No solicitations shall be made on city-recognized holidays.

#### **5.12.110 – Violation – Penalty.**

Any person, firm or corporation found guilty of violating this chapter or any part of this chapter shall be guilty of a misdemeanor, and upon conviction thereof, shall be subject to a fine not exceeding one hundred dollars and/or thirty days in jail.

**Section 2. Severability.** Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

**Section 3. Effective Date.** This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON**  
THE \_\_\_\_ DAY OF \_\_\_\_\_, 2011.

CITY OF BLACK DIAMOND

\_\_\_\_\_  
Rebecca Olness, Mayor

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
Brenda Martinez, City Clerk

Approved as to form:

\_\_\_\_\_  
Chris D. Bacha, City Attorney

Filed with the City Clerk:  
Passed by the City Council:  
Ordinance No.  
Date of Publication:  
Effective Date:

# CITY COUNCIL AGENDA BILL

City of Black Diamond  
Post Office Box 599  
Black Diamond, WA 98010

ITEM INFORMATION			
<b>SUBJECT:</b> <b>Ordinance 11-966, amending BDMC 9.48 by repealing sections 9.48.060, 9.48.070, 9.48.080, 9.48.090, 9.48.100 of the Black Diamond Municipal Code regarding Amusement Devices</b>	<b>Agenda Date: September 15, 2011</b>		<b>AB11-056</b>
	Department/Committee/Individual	Created	Reviewed
	Mayor Rebecca Olness		X
	City Administrator –		
	City Attorney –Chris Bacha		X
	City Clerk – Brenda L. Martinez		X
	Finance – May Miller		X
	Public Works – Seth Boettcher		
	Economic Devel. – Andy Williamson		
	Police – Jamey Kiblinger		
Cost Impact: No Impact on Current Fees	Court – Stephanie Metcalf		
Fund Source: N/A	Comm. Dev. – Amy Donlan	X	
Timeline: 5 Days after Publication			
<b>Attachments: Ordinance No. 11-966</b>			
<b>SUMMARY STATEMENT:</b>  Chapter 9.48.060 through 9.48.100 of the Black Diamond Municipal Code establishes the requirements for a business to obtain an Amusement Device license from the City. The code requires an operator's license when businesses have games of skill in which coins are inserted for the privilege of play. The license is specifically for registering equipment with the City.  The recommended amendment would repeal this chapter of code. The information can be obtained on the business license application.			
<b>COMMITTEE REVIEW AND RECOMMENDATION:</b> The Finance Committee reviewed and recommends approval.			
<b>RECOMMENDED ACTION: MOTION to adopt Ordinance 11-966, amending Chapter 9.48 of the Black Diamond Municipal Code by repealing sections 9.48.060, 9.48.070, 9.48.080, 9.48.090, and 9.48.100.</b>			
RECORD OF COUNCIL ACTION			
Meeting Date	Action	Vote	
September 15, 2011			

# CITY OF BLACK DIAMOND WASHINGTON

ORDINANCE NO. 11-966

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**AN ORDINANCE OF THE CITY OF BLACK DIAMOND, WASHINGTON, RELATING TO REGULATION OF GAMING ACTIVITIES; REPEALING SECTIONS 9.48.060 (SKILL GAMES– PINBALL, POOL– OPERATOR'S FEES), 9.48.070 (SKILL GAME OPERATOR'S LICENSE– APPLICATION– PREREQUISITES), 9.48.080 (LICENSE– POSTING– DURATION– LICENSE STICKER), 9.48.090 (EXCEPTION), AND 9.48.100 (VIOLATION– MISDEMEANOR– LICENSE REVOCATION) OF THE BLACK DIAMOND MUNICIPAL CODE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE**

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**WHEREAS**, Sections 9.48.060 through 9.48.100 of the Black Diamond Municipal Code establish the requirements for a business to obtain an Amusement Device license from the City; and

**WHEREAS**, the above code sections require an operator's license for registering equipment with the City when businesses have games of skill in which coins are inserted for the privilege of play; and

**WHEREAS**, such requirements are unnecessary because the same information can be obtained on the business license application; and

**WHEREAS**, the City Council finds that the foregoing provisions provide unnecessary regulatory requirements and that it is in the best interests of the public health, safety and welfare to simplify the City code by repealing the foregoing provision;

**NOW, THEREFORE**, the City Council of the City of Black Diamond, Washington, do ordain as follows:

Section 1. Repeal of BDMC Sections 9.48.060 (Skill Games– Pinball, Pool– Operator's Fees), 9.48.070 (Skill Game Operator's License– Application– Prerequisites), 9.48.080 (License– Posting– Duration– License Sticker), 9.48.090 (Exception), and 9.48.100 (Violation– Misdemeanor– License Revocation). Sections 9.48.060 (Skill Games– Pinball, Pool– Operator's Fees), 9.48.070 (Skill Game Operator's License– Application– Prerequisites), 9.48.080 (License– Posting– Duration– License Sticker), 9.48.090 (Exception), and 9.48.100 (Violation–

Misdemeanor-- License Revocation) of the Black Diamond Municipal Code are hereby repealed in their entirety.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 15TH DAY OF SEPTEMBER, 2011.**

CITY OF BLACK DIAMOND

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Rebecca Olness, Mayor

ATTEST/AUTHENTICATED:

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Brenda L. Martinez, City Clerk

Approved as to form:

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Chris D. Bacha,  
Kenyon Disend PLLC  
City Attorney

Filed with the City Clerk:  
Passed by the City Council:  
Ordinance No.  
Date of Publication:  
Effective Date:

# CITY COUNCIL AGENDA BILL

City of Black Diamond  
Post Office Box 599  
Black Diamond, WA 98010

ITEM INFORMATION			
<b>SUBJECT:</b> <b>Ordinance 11-967, amending BDMC 5.16 by repealing Chapter 5.16 of the Black Diamond Municipal Code regarding Cabarets.</b>	Agenda Date: September 15, 2011		AB11-057
	Department/Committee/Individual	Created	Reviewed
	Mayor Rebecca Olness		X
	City Administrator –		
	City Attorney – Chris Bacha		X
	City Clerk – Brenda L. Martinez		X
	Finance – May Miller		X
	Public Works – Seth Boettcher		
	Economic Devel. – Andy Williamson		
	Police – Jamey Kiblinger		
Cost Impact: No Impact on Current Fees	Court – Stephanie Metcalf		
Fund Source: N/A	Comm. Dev. – Amy Donlan		
Timeline: 5 Days after Publication		X	
<b>Attachments: Ordinance No. 11-967</b>			
<b>SUMMARY STATEMENT:</b>  <p>Chapter 5.16 of the Black Diamond Municipal Code establishes the requirements for a person to obtain a Cabaret license from the City. The code requires a business serving alcohol and playing music to attain this license, but there are no specific approval criteria. The decision to issue is based solely on the comments of the public after a public hearing.</p> <p>The recommended amendment would delete this chapter of code. The information can be obtained on the business license application. If issues arise regarding music in businesses, they can be mitigated through the nuisance ordinance and code enforcement.</p>			
<b>COMMITTEE REVIEW AND RECOMMENDATION:</b> The Finance Committee has reviewed and recommends approval.			
<b>RECOMMENDED ACTION:</b> <b>MOTION to adopt Ordinance 11-967, amending Chapter 5.16 of the Black Diamond Municipal Code by repealing the entire chapter.</b>			
<b>RECORD OF COUNCIL ACTION</b>			
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>	
September 15, 2011			

# CITY OF BLACK DIAMOND WASHINGTON

ORDINANCE NO. 11-967

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## **AN ORDINANCE OF THE CITY OF BLACK DIAMOND, WASHINGTON, RELATING TO LICENSING AND REGULATION OF CABARETS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE**

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**WHEREAS**, Chapter 5.16 of the Black Diamond Municipal Code establishes the requirements for a person to obtain a cabaret license from the City; and

**WHEREAS**, the above chapter requires a business serving alcohol and playing music to obtain a cabaret license; however, no specific approval criteria are set forth in the City Code; and

**WHEREAS**, the City Council does not find that there is currently a significant government interest in regulating cabarets through licensing requirements as currently set forth at Chapter 5.16 BDMC; and

**WHEREAS**, City staff has recommended that the business license code be streamlined by removal of the cabaret licensing provisions of Chapter 5.16 BDMC and that any noise complaints generated by such activities can be mitigated through the nuisance ordinance and code enforcement; and

**WHEREAS**, the City Council finds that it is in the best interest of the public health, safety and welfare to repeal the provisions of Chapter 5.16 BDMC;

**NOW, THEREFORE**, the City Council of the City of Black Diamond, Washington, do ordain as follows:

**Section 1. Repeal of Chapter 5.16 BDMC (Cabarets).** Chapter 5.16 of the Black Diamond Municipal Code is hereby repealed in its entirety.

**Section 2. Severability.** Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

**Section 3. Effective Date.** This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED** BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON  
THE 15TH DAY OF SEPTEMBER, 2011.

CITY OF BLACK DIAMOND

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Rebecca Olness, Mayor

ATTEST/AUTHENTICATED:

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Brenda L. Martinez, City Clerk

Approved as to form:

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Chris D. Bacha,  
Kenyon Disend PLLC  
City Attorney

Filed with the City Clerk:  
Passed by the City Council:  
Ordinance No.  
Date of Publication:  
Effective Date:



# CITY COUNCIL AGENDA BILL

City of Black Diamond  
Post Office Box 599  
Black Diamond, WA 98010

ITEM INFORMATION			
<b>SUBJECT:</b> <b>Resolution No. 11-765, updating the City's official fee schedule</b>	<b>Agenda Date: September 15, 2011</b>		<b>AB11-058</b>
	Department/Committee/Individual	Created	Reviewed
	Mayor Rebecca Olness		
	City Administrator –		
	City Attorney – Chris Bacha		
	Finance – May Miller		
	City Clerk – Brenda Martinez		X
	Public Works – Seth Boettcher		
	Economic Devel. – Andy Williamson		
Cost Impact: NA	Police – Jamey Kiblinger		
Fund Source: None	Community Develop. – Amy Donlan	X	
Timeline:			
<b>Attachments: Resolution 11-765; Proposed Fee Schedule; Current Fee Schedule</b>			
<b>SUMMARY STATEMENT:</b>  Periodically, City staff reviews the adopted fee schedule to ensure fee amounts are sufficient to cover the expense of providing various City services. In addition, changes to City codes and procedures at times requires the initiation of new or changed fees to address new or modified processes. The proposed amendments are intended to address those situations.			
COMMITTEE REVIEW AND RECOMMENDATION:			
RECOMMENDED ACTION: <b>MOTION to adopt Resolution No. 11-765, amending the City's official fee schedule.</b>			
RECORD OF COUNCIL ACTION			
Meeting Date	Action	Vote	
September 15, 2010			

**RESOLUTION NO. 11-765**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
BLACK DIAMOND, KING COUNTY, WASHINGTON  
UPDATING THE CITY'S FEE SCHEDULE**

**WHEREAS**, as codified in Chapter 2.62 of the Black Diamond Municipal Code , the City of Black Diamond has previously authorized and adopted an official schedule of fees that specifies the amounts to be charged for services provided by City employees and their agents; and

**WHEREAS**, this fee schedule needs to be updated from time to time to add or change fees for services the city provides; and

**WHEREAS**, City staff has reviewed and determined the changes being proposed to the City's official fee schedule are necessary and appropriate;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, DOES RESOLVE AS FOLLOWS:**

**Section 1.** The City's official fee schedule, previously adopted by Resolution No. 11-740 and shown in the attached Exhibit B is hereby amended as shown in attached Exhibit A. Areas where the fee schedule has been changed are highlighted in Exhibit A.

**PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 15TH DAY OF SEPTEMBER, 2011.**

CITY OF BLACK DIAMOND:

\_\_\_\_\_  
Rebecca Olness, Mayor

Attest:

\_\_\_\_\_  
Brenda L. Martinez, City Clerk

POLICE		
TYPE	DESCRIPTION	FEE
Animal License		By King Co Ordinance
Fingerprinting	Non-Resident	\$15.00
Fingerprinting	Resident	\$10.00
Equipment Deposit	refundable	\$350.00
Electronic Monitoring (police)	Per Day, payable in advance	\$17.00
Hook Up Fee	One Time Application Fee (non-refundable)	\$25.00
	within 20 mile radius	Current IRS Rate
	outside 20 mile radius	Current IRS Rate
Concealed Pistol License		
Original	Original License	\$55.25
Renewal	Valid License Renewal	\$32.00
Late	Within 90 days after expiration	\$42.00
Replacement		\$10.00
Process Service		\$25.00
Mileage for process service		Current IRS Rate
False Alarm Responses	First Occurrence	None
	Second Occurrence per year	\$50.00
	Third or more per year	\$75.00
Discovery	No charge for one copy of documents provided in compliance with defense requests on Muni Court cases	\$0.00
	others:	\$0.15
Civil Service Testing	Per Applicant	Contract w/ Public Safety Testing
Work Release	Per day, payable in advance	Contract Amount
Traffic Safety School		\$200.00
Booking Processing Fee	Per booking	Contract Rate
Police reports	Per Case Reports	\$0.15 per page
Photographs		
Copies	each	\$0.15
Originals	each	\$8.00
Video Tape Reproduction	each	\$50.00
CD Reproduction	each	\$10.00
Audio Tape Reproduction	each	\$10.00
Expurgements		\$35.00
Firearms Clearance Letter	For Foreign Countries	\$15.00
Local Record Clearance Letter	In-House Records Check	\$15.00
Vehicle Storage	For other PD only, per day	\$1.50
Work Crew	screening fee (non-refundable)	\$25.00
	per day, state fee	\$15.00

PUBLIC WORKS - STREETS		
TYPE	DESCRIPTION	FEE
Right-of-Way Use Permit	incl. 2 Inspect. & 1/2hr City Review	\$250.00
ROW Extra Inspection	1 hour minimum, per hour	\$95.00
ROW Extra City Staff Review	1 hour minimum, per hour	\$50.00
Fines- ROW Use Permits	Failure to call for an inspection	\$1,000.00
Street Cleaning		Cost, plus 10%
Public Works Variance	Application & Review Fee	\$1,000.00
	Professional Svcs/Consultant Review	Actual cost plus 10%
Street Signs Charge	Sign Purchase	Actual cost plus 10%
	Installation	Hourly Rates
Street, Alley, City Property Vacations	Application Fees	\$750.00
	Deposit	\$1,000.00
U.L.I.D. or L.I.D.	City Costs	Actual Costs plus 10%

PUBLIC WORKS - WATER		
TYPE	DESCRIPTION	FEE
Unauthorized connection	no meter present or bypassing	\$1,200.00
Meter Testing charge		Cost plus actual staff time
Customer Requested Turn Off	After Business Hours, 2 hour min.	staff time
Lifeline Utility Relief Rate	City water, sewer, & stormwater only (excluding KC Metro)	50%
DROP IN METER CHARGES		
5/8" meter	City Installed	\$500.00
3/4" meter	City Installed	\$500.00
1" meter	City Installed	\$600.00
1-1/2" meter thru 6" meter	City Installed	meter cost, plus 10%
Irrigation 5/8" meter	City Installed	\$500.00
Installation of water service charges	Homeowner incurs ALL costs, plus deposit per BDMC 13.040.050	Deposit \$1000.00
Installation Re-Inspection Fees		Hourly Rates, 30 min. minimum
Connection Fee		Per BDMC 13.04.280
Door Hanger Charge, Warning		\$10.00
Door Hanger w/ Shut Off		\$20.00
Unpaid Account Reconnect Fee	During Working Hours	\$25.00
	After Working Hours	1 1/2 time, 2hr minimum
	Holidays	Double Time, 2hr minimum
Lien Release		\$120.00
Meter Rental/water purchase	Collect Deposit, Connect Fee, Rental Rate	Deposit \$1000.00
	Connection Fee dbl. current basic rate plus	Rental, per day \$25.00
	Connection Fee dbl. current basic rate plus	Rental, per week \$100.00
	Connection Fee dbl. current basic rate plus	Rental, per month \$250.00
Water Investigation Certificates	Residential	\$100.00

	Multi-Family, Commercial, Industrial, Public	\$200.00
Hydraulic Model for Water System	Deposit	\$500.00
Non-Account Water Purchase		Double out of city rates
Water Equipment and Parts		Actual Costs plus 10%

PUBLIC WORKS - SEWER		
TYPE	DESCRIPTION	FEE
Sewer Connection Fee		Per BDMC 13.20.080
Sewer Investigation Certificates	Residential	\$100.00
	Multi-family, Commercial, Industrial, Public	\$200.00
Engineered Hydraulic Flows to Sewer System	Deposit	\$1,000.00
Side Sewer Re-Inspection Fee		Hourly rate, 30min. Minimum
PW Plan Review		Hourly rate

PUBLIC WORKS - CLEARING & GRADING, CIVIL		
TYPE	DESCRIPTION	FEE
Clearing & Grading Permit Fee	Permit Fee	\$190.00
	Inspection Fee	3% of total cost of the project
	Plan Review Fee	
	Clearing Only	\$70.00
	0-50 Cubic Yards	\$130.00
	51-100 Cubic Yards	\$240.00
	101-1,000 Cubic Yards	\$510.00
	1,001-10,000 Cubic Yards	\$760.00
	10, 001-100,000 Cubic Yards	\$1,000.00
	100,001-Cubic Yards and up	\$1,240.00
Civil Plan-Commercial, Multi-Family, Short Plat Projects	Engineering Plan Review Fee	\$470.00 (plus an additional per hour rate if review exceeds 5 hours, as outlined in Note 1)
	Engineering Permit Fee	\$300.00
	Inspection Fee	3% of total cost of the project
	As-Built Review Fee	\$200.00
	Engineering Alternative Methods Request (per item)	\$250.00
Civil Plan-Long Plat Projects	Engineering Plan Review Fee	\$470.00 (plus an additional per hour rate if review exceeds 5 hours, as outlined in Note 1)
	Engineering Permit Fee	\$1,370.00
	Inspection Fee	3% of total cost of the project
*Note 1: Hourly rates will be charged using the current billable rates of City Staff.		

PUBLIC WORKS - UTILITY EMERGENCY CALL OUT CHARGES		
TYPE	DESCRIPTION	FEE
Emergency Repair	Working hours, if prior locate	Time and materials
	Working hours, if no locate	3 times, time and materials
	After hours, if prior locate	1 1/2 Time and materials
	After hours, no locate	3 Times, 1 1/2 time and material
	Holidays	Double time to above rates
Equipment Fee without Operator	City Dump Truck	\$75.00 per hour
	City Vehicle	\$50.00 per hour
	City Backhoe	\$75.00 per hour
	Miscellaneous Utility Equipment	\$25.00 per hour
	Parts	Cost plus 10%

PUBLIC WORKS - CEMETERY		
TYPE	DESCRIPTION	FEE
Opening and Closing	For Normal Lots	\$500.00
Opening and Closing	For Cremation	\$100.00
Single Lot Purchase		\$1,500.00
Double Lot Purchase (2 lots)		\$2,500.00
Saturday Service - Burial	11am to 1pm	\$1,000.00
Saturday Service - Cremation	11am to 1pm	\$250.00
Liner		Actual Cost plus 10%
Liner Setting Fee		\$250.00
Vault		Actual Cost plus 10%
Vault Setting Fee		\$250.00
Niche	Single	\$325.00
	Double	\$425.00
Head Stone Placement	Normal, up to 44" x 20"	\$100.00
	Oversized Stone	\$.15 per square inch
Exhumation		Lesser of \$5000.00 or Actual Contract Cost

PLANNING/LAND USE		
TYPE	DESCRIPTION	FEE
Consultant Fees	NOTE: some applications will require the use of outside consultants. See BDMC 2.60.050	Actual Cost plus 10%
	Deposit	\$1000 min, per consultant quote
Preliminary Plat	Base Application Fee	\$2,000.00
	per lot charge	\$100.00
	Plat Alteration or Vacation	\$1,500.00
	Time Extension - 1 year	\$1,000.00
Final Plat	Base Application Fee	\$1,500.00
	per lot charge	\$100.00
Binding Site Plan	Base Application Fee	\$1,500.00
	per lot charge	\$100.00



Preliminary Short Plat	Base Application Fee	\$750.00
	per lot charge	\$100.00
	modified short plat	\$750.00
Final Short Plat	Application Fee	\$750.00
Lot Line Adjustment	Residential application fee	\$300.00
	Non-Residential application fee	\$600.00
Lot Line Elimination	Application Fee	\$250.00
Master Plan Development	Application Fee	\$25,000.00
	per acre charge	\$100.00
Development Agreement	Application Fee	\$1,500.00
	staff review time	Staff Hours + 10%
Annexation	10% Notice of Intent	\$1,000.00
	60% Petition	\$5000 deposit, actual staff time
Conditional Use	Application Fee	\$1,000.00
Administrative Conditional Use	Application Fee	\$250.00
Variance	Single Family Lot	\$500.00
	All Others	\$1,000.00
Administrative Variance	Application Fee	\$250.00
Accessory Dwelling Unit	Application Fee	\$250.00
Shoreline Exemption	Application Fee	\$100.00
Shoreline Substantial Development	Application Fee	\$1,000.00
Shoreline Variance	Application Fee	\$1,000.00
Shoreline Conditional Use	Application Fee	\$1,000.00
Site Plan Review	Application Fee	\$750.00
Comp Plan Amendment	Application Fee	\$2,000.00
Rezone	Application Fee	\$1,000.00
SEPA Checklist	w/ land use or permit application	\$400.00
	w/o permit application	\$500.00
	for each additional study	\$250.00
Environmental Impact Statement	Per consultant contract	Actual Costs plus 10%
Appeal of Administrative Decision	Application Fee	\$250.00
Appeal of SEPA action	Application Fee	\$250.00
Appeal of Notice of Violation	Application Fee	\$250.00
Temporary Use Permit	Application Fee	\$100.00

Transfer Development Rights	Application Fee	\$500.00
	per development credit	\$50.00
	Treasured Place Status	\$250.00
Tree Permit	Level 1 application Fee	\$250.00
	Level 2 application Fee	\$500.00
Reasonable Use Exception	Application Fee	\$250.00
Sensitive Areas Permit	Application Fee	\$500.00
Sensitive Area Utility Exception	Application Fee	\$1,000.00
Formal Code Interpretation	Application Fee	\$150.00
Pre-Application Meeting	1 hour meeting and review of submittal	No Charge
	Additional meetings	\$200.00
Hearing Examiner	Hearing Fee	\$750.00
	actual costs	Hourly Rate + 10%
Public Notice Boards	Per BDMC 18.08	3rd Party Vendor Charge
Signs		
Wall Sign, non electric	25-50sf, 51-99sf, 100+ sf	\$100.00, \$150.00, \$200.00
Wall Sign, electric	25-50sf, 51-99sf, 100+ sf	\$120.00, \$170.00, \$220.00
Ground, non-electric	25-50sf, 51-99sf, 100+ sf	\$140.00, \$190.00, \$240.00
Ground, electric	25-50sf, 51-99sf, 100+ sf	\$160.0, \$210.00, \$260.00
All signs less than 25sf		\$90.00
Change of sign, all sizes		\$90.00
Permit Review	per hour	\$47.00

BDMC 2.62.012 may require the posting of a deposit and payment of actual city costs for certain permits.

Deposits that are listed on the General Fee Schedule are require to be paid in addition to the Permit Fees. The Deposit is used to cover staff costs, engineering, and or other professional consultant costs plus 10%. Deposits will be tracked on a monthly basis. If the cost exceeds the deposit, an additional deposit invoice will be sent in writing. If the additional deposit is not paid within 30 days, the city may discontinue review or work on the project or deem the project incomplete.

At the end of the project, the city will invoice in writing any final costs over the deposits, or refund any remaining balance to the person who made the deposit. Final invoices are due within 30 days.

BUILDING - FIRE		
TYPE	DESCRIPTION	FEE
Building Permit Fee	Based on Project Valuation	See page 10
Building Plan Check Fee	Based on Project Valuation	65% of permit fee, see page 10
Mechanical Permit	Flat Fee plus fixture count	See page 12
Plumbing Permit	Flat Fee plus fixture count	See page 11
Change of Use w/o a TI	Permit Fee & Deposit	\$200 deposit, actual staff hours
Demo - SFR, out-building etc.	Permit Fee & Deposit	\$120 permit, \$1000 deposit
Relocation Permit (incl mfg home)		\$200.00
Mobile Home Title Elimination	Permit Fee	\$100.00
Driveway (stand alone)	expansion & new	\$200.00
Re-Roof permit - Residential	Permit Fee	\$100.00
Re-Roof permit - Commercial/ MF	Permit Fee & Plan Check	based on valuation, see page 10
Miscellaneous Permit	Permit Fee	\$100 deposit + actual hours
Investigation Fee-Work w/o a permit	Permit Fee	Double Req'd permit fees



## FEE SCHEDULE - PROPOSED 9/15/2011

Exhibit A

Temporary Certificate of Occupancy	Per 30 day TCO	\$250.00
Permit Extension	180 day extension	\$50.00
Consultant/Peer Review	consultant fees	per contract plus 10%
Fire Permit	Base Fee	\$100.00
Fire Sprinkler/Alarm System Review	Plan Review & Inspection Fee	per contract plus 10%
Fireworks Display	Plan Review & Inspection Fee	per contract plus 10%
Temporary Fireworks Stand	Permit Fee	\$100.00
	Removal Bond-refundable	\$750.00
Fuel/Oil Tanks		
Decommission/Remove	Base Permit Fee	\$100.00
	Plan Review & Inspection Fee	per contract plus 10%
Residential LPG Tanks	Base Permit Fee	\$120.00
	Tank Under 125 gallons, additional	\$45.00
	126 to 500 gallons, additional	\$70.00
	501 gallons and up, additional	\$95.00
	Each 500 gallons additional	\$120.00

## LICENSES

TYPE	DESCRIPTION	FEE
Regular Business License	0-50 employees Annual	Initial Fee \$70 Renewal \$60
	51-100 employees	Initial Fee \$130 Renewal \$120
	101 or more employees	Initial Fee \$210 Renewal \$200
Regular Business License (partial)	Pro-rate: 50% fee reduction after June 30	\$35.00
Temp Business License (30 days)	per 30 day license, maximum of 2 per year	\$15.00
Duplicate Business License	per copy	\$10.00
Relocation/Re-issue	business moves locations	\$10.00
Specialty Licenses		
Pawnbrokers	Yearly	\$100.00
Firearms Dealer	Federal Firearms License, yearly	\$125.00
Solicitors and mobile vendors	per day Annual	<del>\$15.00</del> \$70.00
	per month Temporary (30 Days)	<del>\$50.00</del> \$15.00
	per year	<del>\$150.00</del>
Carnivals, circus, and shows	per event	\$50.00
Adult Entertainment License	per establishment	\$1,000.00
	operator license	\$100.00
	employees license	\$50.00
Penalty, Late Renewal Payment	Feb 1-28	\$10.00
	Mar 1-31	\$20.00
	April 1-30	\$30.00
	May 1 and after	double renewal fee, collections

## CITY STAFF RATES

TYPE	DESCRIPTION	FEE
City Administrator	Per Hour	\$93.00
Asst. City Administrator/City Clerk	Per Hour	\$78.00
Deputy City Clerk	Per Hour	\$46.00
Finance Director	Per Hour	\$69.00
Deputy Finance Director	Per Hour	\$59.00
Senior Accountant	Per Hour	\$34.00
Community Development Director	Per Hour	\$70.00
Permit Technician Supervisor	Per Hour	\$52.00
Permit Technician	Per Hour	\$45.00
Economic Development Director	Per Hour	\$72.00
Natural Resources	Per Hour	\$73.00



Building Official/Code Official	Per Hour	Per Contract + 10%
Building Plans Examiner	Per Hour	Per Contract + 10%
Public Works Director	Per Hour	\$80.00
Public Works Admin. Asst. 3	Per Hour	\$45.00
Utilities Supervisor	Per Hour	\$72.00
Utility Operator	Per Hour	\$43.00
Utility Worker	Per Hour	\$39.00
Facilities Coordinator	Per Hour	\$49.00
Police Chief	Per Hour	\$90.00
Police Officer w/ vehicle	Per Hour	\$75.00
Police Officer w/o vehicle	Per Hour	\$60.00
Associate Planner	Per Hour	\$45.00
Information Services Manager	Per Hour	\$71.00
Clerical Staff	Per Hour	\$28.00
City Engineer		Per Contract + 10%
City Attorney		Per Contract + 10%
Landscape Architect		Per Contract + 10%
Consultant Planner		Per Contract + 10%
Other Consultant or Contractors		Per Contract + 10%
Hearing Examiner		Per Contract + 10%

### PARKS

TYPE	DESCRIPTION	FEE
Liquor Use Permit	Per Event	\$25.00
Overnight Camping Permit	Per Campsite	\$10.00
Vending Permit	Per Event	\$50.00
Overnight Moorage Permit	Per Boat	\$10.00

### PASSPORTS

TYPE	DESCRIPTION	FEE
Passport Applications must be accompanied by 2 checks, one for the passport fee and one for the execution fee. The passport fee check is made payable to the US Department of State. The execution fee check is made payable to the City of Black Diamond.		
<b>Passport Book</b>		
Passport Fee **	Age 16 and over	\$110.00
Execution Fee		\$25.00
		<b>Total \$135.00</b>
Passport Fee **	Under Age 16	\$80.00
Execution Fee		\$25.00
		<b>Total \$105.00</b>
<b>Passport Card</b>		
Passport Fee **	Age 16 and over	\$30.00
Execution Fee		\$25.00
		<b>Total \$55.00</b>
Passport Fee **	Under Age 16	\$15.00
Execution Fee		\$25.00
		<b>Total \$40.00</b>
Expediting Fee (Book Only)		\$60.00
File Search Fee		\$150.00
Overnight Deliver Return Fee	Passport book only	\$12.72
** Other conditions and restrictions may apply, see City Clerk's office for more details.		

MISCELLANEOUS FEES		
TYPE	DESCRIPTION	FEE
Photocopying	per page	\$0.15
Oversize Documents/Plotter copies	per page, black & white	\$5.00
	per page, color	\$7.00
Duplication Audio Tapes CD's	Per tape/CD	\$10.00
Transcription Preparation	staff time or outside agency	actual cost
Notary Public Work		\$10.00
King County Recording Fee	Per page, pass through King County fees	actual cost per King County
Return Check Fee		\$35.00
Return Check Fee plus door hanger for utility payments		\$45.00
Computer Printout List	Set up Fee	\$25.00
	1st 100 pages of printout	\$0.20
	All Additional Pages	\$0.20
City of Black Diamond Maps		\$5.00
Black Diamond Zoning Map	Oversized 18x24 or larger	\$7.00
	11x17	\$3.00
Zoning Ordinance		\$50.00
Comprehensive Plan		\$85.00
Water Comp Plan		\$80.00
Sewer Comp Plan		\$80.00
Municipal Code		Current Publishing Price
Public Works Standards		\$50.00
Stormwater Ordinance		\$25.00
BD Design Standards & Guidelines		\$50.00
Each Section		\$10.00

**Table 1-A BUILDING PERMIT FEES**

<b>TOTAL VALUATION</b>	<b>FEE</b>
\$ 1.00 TO \$500.00	\$26.00
\$501.00 TO \$2,000.00	\$26.00 for the first \$500.00 plus \$3.35 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 TO \$25,000.00	\$76.20 for the first \$2,000.00 plus \$15.40 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 TO \$50,000.00	\$430.40 for the first \$25,000.00 plus \$11.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 TO \$100,000.00	\$708.20 for the first \$50,000.00 plus \$7.70 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 TO \$500,000.00	\$1093.20 for the first \$100,000.00 plus \$6.15 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 TO \$1,000,000.00	\$3556.30 for the first \$500,000.00 plus \$5.25 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 AND UP	\$6169.65 for the first \$1,000,000.00 plus \$4.05 for each additional \$1,000.00, or fraction thereof
<b>Other Inspections and Fees:</b> <ol style="list-style-type: none"> <li>1. Inspections outside of normal business hours ..... \$100.00 per hour' (Minimum charge - two hours)</li> <li>2. Re-Inspection fees ..... \$75.00 per assessment'</li> <li>3. Inspections for which no fee is specifically indicated ..... \$75.00 per hour' (Minimum charge - one hour)</li> <li>4. Additional plan review due to additions or revisions to plans ..... \$84.00 per hour' (Minimum charge - one hour)</li> <li>5. Additional plan review due to Deferred Submittals ..... \$84.00 per hour' (Minimum charge - 1 hour)</li> <li>6. For use outside consultants for plan checking and Inspections or both ..... Actual cost + 10%</li> <li>7. Plan review shall be 65% of the permit fee when required,</li> </ol>	
Public Improvement Projects Fee Waiver. The city administrator may, in his discretion, waive any or all of the permit fees required under the International Building Code and any amendments thereto, for any public improvement project for which the city is providing some or all of the funding for said project.	

Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

## PLUMBING PERMIT FEES

### Permit Issuance

1. For issuing each permit	\$22.00
2. For issuing each supplemental permit	\$11.00

### Unit Fee Schedule (note the following do not include permit-issuing fee):

1. For each additional plumbing fixture on one trap or a set of fixtures on one trap (including water, drainage piping and back flow protection thereof)	\$8.00
2. For each building sewer and each trailer park sewer	\$17.00
3. Rainwater systems - per drain (inside building)	\$8.00
4. For each water heater and/or vent	\$8.00
5. For each industrial waste pretreatment interceptor including its trap and vent except kitchen-type grease interceptors functioning as fixture traps	\$8.00
6. For each installation, alteration or repair of water piping and/or water treatment, each	\$8.00
7. For each repair or alteration of a drainage or vent piping, each fixture	\$8.00
8. For each lawn sprinkler system on any one meter including back flow protection devices thereof	\$8.00
9. For atmospheric-type vacuum breakers not included in item 12:	
1 to 5	\$6.00
over 5, each	\$1.00
10. For each backflow protective device other than atmospheric type vacuum breakers:	
2 inch (51 mm) diameter and smaller	\$17.00
over 2 inch (51 mm) diameter	\$44.00
11. For initial installation and testing for a reclaimed water system	\$33.00
12. For each annual cross-connection testing of a reclaimed water system (excluding	\$33.00
13. For each medical gas piping system serving one to five inlet(s)/outlet(s) for a specific gas	\$55.00
14. For each additional medical gas inlet(s)/outlet(s)	\$6.00
15. Spa & Hot Tubs	Fixtures count + \$84.00/hr plan review
16. Swimming Pool	Fixtures count + \$84.00/hr plan review

### Other Inspections and Fees:

1. Inspections outside of normal business hours	\$84.00 *
2. Re-inspection fee	\$84.00 *
3. Inspections for which no fee is specifically indicated	\$84.00 *
4. Additional plan review required by changes, additions or revisions to approved plans (min. charge one-half hour)	\$84.00 *

\*Building Official Contract fee + 20%



## MECHANICAL PERMIT FEES

### Permit Issuance and Heaters:

1. For issuing each permit	\$26.00
2. For issuing each supplemental permit for which the original permit has not expired, been canceled or finaled	\$8.00

### Unit Fee Schedule (Note: the following do not include permit-issuing fee):

#### 1. Furnaces

For the installation or relocation of forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance up to and including 100,000 btu/h (29.3kW)	\$16.00
For the installation or relocation of forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance over 100,000 Btu/h (29.3kW)	\$20.00
For the installation or relocation of each floor furnace, including vent	\$16.00
For the installation or relocation of each suspended heater, recessed wall heater or floor mounted unit heater	\$16.00

#### 2. Appliance Vents

For the installation, relocation or replacement of each appliance vent installed and not included in an appliance permit	\$8.00
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#### 3. Repairs or Additions

For the repair of, the alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by the Mechanical Code	\$15.00
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#### 4. Boilers, Compressors and Absorption Systems

For the installation or relocation of each boiler or compressor to and including 3 horsepower (10.6kW) or each absorption system to and including 1,000,000 BTU/h	\$16.00
For the installation or relocation of each boiler or compressor over 3 horsepower (10.6kW) to and including 15 horsepower (52.7kW) to and including 30 horsepower (105.5kW) or each absorption system over 500,000btu/h (146.6kW) to and including 1,000,000 Btu/h (293.1kW)	\$41.00
For the installation or relocation of each boiler or compressor over 30 horsepower (105.5kW) to and including 50 horsepower (176kW) or each absorption system over 1,000,000btu/h (293.1kW) to and including 1,750,000 Btu/h (512.9kW)	\$61.00
For the installation or relocation of each boiler or compressor over 50 horsepower (176kW), or each absorption system over 1,750,000 Btu/h (512.9kW)	\$102.00

#### 5. Air Handlers

For each air handling unit to and including 10,000 cubic feet per minute (cfm) (4719 L/s), including ducts attached thereto (Note: This fee does not apply to an air-handling unit which is a portion of a factory-assembled appliance cooling system, evaporative cooler or absorption unit for which a permit is required elsewhere in the Mechanical Code)	\$12.00
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For each air-handling unit over 10,000 cfm (4719 L/s)	\$20.00
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#### 6. Evaporative Cooler

For each evaporative cooler other than a portable type	\$12.00
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#### 7. Ventilation and Exhaust

For each ventilation fan connected to a single duct	\$8.00
For each ventilation system which is not a portion of any heating or air-conditioning system authorized by a permit	\$12.00
For the installation of each hood which is served by a mechanical exhaust, including the ducts for each hood	\$12.00

#### 8. Incinerators

For the installation or relocation of each domestic-type incinerator	\$16.00
For the installation or relocation of each commercial or industrial type incinerator	\$16.00

#### 9. Gas Piping

Gas piping systems 1-5 outlets	\$15.00
For each additional gas outlet over 5	\$2.00

#### 10. Miscellaneous

For each appliance or piece of equipment regulated by the Mechanical Code but not classed in other appliance categories or for which no other fee is listed in the table	\$12.00
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#### Other Inspections and Fees:

1. Inspections outside of normal business hours, per hour (min. charge 2 hours)	\$84.00 *
2. Inspections for which no fee is specifically indicated, per hour (min. charge one-half hour)	\$84.00 *
3. Revisions to plans or to plans for which an initial review has been completed (min. charge one-half hour)	\$84.00 *

\*Building Official Contract fee + 20%

POLICE		
TYPE	DESCRIPTION	FEE
Animal License		By King Co Ordinance
Fingerprinting	Non-Resident	\$15.00
Fingerprinting	Resident	\$10.00
Equipment Deposit	refundable	\$350.00
Electronic Monitoring (police)	Per Day, payable in advance	\$17.00
Hook Up Fee	One Time Application Fee (non-refundable)	\$25.00
	within 20 mile radius	Current IRS Rate
	outside 20 mile radius	Current IRS Rate
Concealed Pistol License		
Original	Original License	\$55.25
Renewal	Valid License Renewal	\$32.00
Late	Within 90 days after expiration	\$42.00
Replacement		\$10.00
Process Service		\$25.00
Mileage for process service		Current IRS Rate
False Alarm Responses	First Occurrence	None
	Second Occurrence per year	\$50.00
	Third or more per year	\$75.00
Discovery	No charge for one copy of documents provided in compliance with defense requests on Muni Court cases	\$0.00
	others:	\$0.15
Civil Service Testing	Per Applicant	Contract w/ Public Safety Testing
Work Release	Per day, payable in advance	Contract Amount
Traffic Safety School		\$200.00
Booking Processing Fee	Per booking	Contract Rate
Police reports	Per Case Reports	\$0.15 per page
Photographs		
Copies	each	\$0.15
Originals	each	\$8.00
Video Tape Reproduction	each	\$50.00
CD Reproduction	each	\$10.00
Audio Tape Reproduction	each	\$10.00
Expurgements		\$35.00
Firearms Clearance Letter	For Foreign Countries	\$15.00
Local Record Clearance Letter	In-House Records Check	\$15.00
Vehicle Storage	For other PD only, per day	\$1.50
Work Crew	screening fee (non-refundable)	\$25.00
	per day, state fee	\$15.00



PUBLIC WORKS - STREETS		
TYPE	DESCRIPTION	FEE
Right-of-Way Use Permit	incl. 2 Inspect. & 1/2hr City Review	\$250.00
ROW Extra Inspection	1 hour minimum, per hour	\$95.00
ROW Extra City Staff Review	1 hour minimum, per hour	\$50.00
Fines- ROW Use Permits	Failure to call for an inspection	\$1,000.00
Street Cleaning		Cost, plus 10%
Public Works Variance	Application & Review Fee	\$1,000.00
	Professional Svcs/Consultant Review	Actual cost plus 10%
Street Signs Charge	Sign Purchase	Actual cost plus 10%
	Installation	Hourly Rates
Street, Alley, City Property Vacations	Application Fees	\$750.00
	Deposit	\$1,000.00
U.L.I.D. or L.I.D.	City Costs	Actual Costs plus 10%

PUBLIC WORKS - WATER		
TYPE	DESCRIPTION	FEE
Unauthorized connection	no meter present or bypassing	\$1,200.00
Meter Testing charge		Cost plus actual staff time
Customer Requested Turn Off	After Business Hours, 2 hour min.	staff time
Lifeline Utility Relief Rate	City water, sewer, & stormwater only (excluding KC Metro)	50%
DROP IN METER CHARGES		
5/8" meter	City Installed	\$500.00
3/4" meter	City Installed	\$500.00
1" meter	City Installed	\$600.00
1-1/2" meter thru 6" meter	City Installed	meter cost, plus 10%
Irrigation 5/8" meter	City Installed	\$500.00
Installation of water service charges	Homeowner incurs ALL costs, plus deposit per BDMC 13.040.050	Deposit \$1000.00
Installation Re-Inspection Fees		Hourly Rates, 30 min. minimum
Connection Fee		Per BDMC 13.04.280
Door Hanger Charge, Warning		\$10.00
Door Hanger w/ Shut Off		\$20.00
Unpaid Account Reconnect Fee	During Working Hours	\$25.00
	After Working Hours	1 1/2 time, 2hr minimum
	Holidays	Double Time, 2hr minimum
Lien Release		\$120.00
Meter Rental/water purchase	Collect Deposit, Connect Fee, Rental Rate	Deposit \$1000.00
	Connection Fee dbl. current basic rate plus	Rental, per day \$25.00
	Connection Fee dbl. current basic rate plus	Rental, per week \$100.00
	Connection Fee dbl. current basic rate plus	Rental, per month \$250.00
Water Investigation Certificates	Residential	\$100.00

	Multi-Family, Commercial, Industrial, Public	\$200.00
Hydraulic Model for Water System	Deposit	\$500.00
Non-Account Water Purchase		Double out of city rates
Water Equipment and Parts		Actual Costs plus 10%

PUBLIC WORKS - SEWER		
TYPE	DESCRIPTION	FEE
Sewer Connection Fee		Per BDMC 13.20.080
Sewer Investigation Certificates	Residential	\$100.00
	Multi-family, Commercial, Industrial, Public	\$200.00
Engineered Hydraulic Flows to Sewer System	Deposit	\$1,000.00
Side Sewer Re-Inspection Fee		Hourly rate, 30min. Minimum
PW Plan Review		Hourly rate

PUBLIC WORKS - CLEARING & GRADING, CIVIL		
TYPE	DESCRIPTION	FEE
Clearing & Grading Permit Fee	Permit Fee	\$190.00
	Inspection Fee	3% of total cost of the project
	Plan Review Fee	
	Clearing Only	\$70.00
	0-50 Cubic Yards	\$130.00
	51-100 Cubic Yards	\$240.00
	101-1,000 Cubic Yards	\$510.00
	1,001-10,000 Cubic Yards	\$760.00
	10,001-100,000 Cubic Yards	\$1,000.00
	100,001-Cubic Yards and up	\$1,240.00
Civil Plan-Commercial, Multi-Family, Short Plat Projects	Engineering Plan Review Fee	\$470.00 (plus an additional per hour rate if review exceeds 5 hours, as outlined in Note 1)
	Engineering Permit Fee	\$300.00
	Inspection Fee	3% of total cost of the project
	As-Built Review Fee	\$200.00
	Engineering Alternative Methods Request (per item)	\$250.00
Civil Plan-Long Plat Projects	Engineering Plan Review Fee	\$470.00 (plus an additional per hour rate if review exceeds 5 hours, as outlined in Note 1)
	Engineering Permit Fee	\$1,370.00
	Inspection Fee	3% of total cost of the project
*Note 1: Hourly rates will be charged using the current billable rates of City Staff.		

PUBLIC WORKS - UTILITY EMERGENCY CALL OUT CHARGES		
TYPE	DESCRIPTION	FEE
Emergency Repair	Working hours, if prior locate	Time and materials
	Working hours, if no locate	3 times, time and materials
	After hours, if prior locate	1 1/2 Time and materials
	After hours, no locate	3 Times, 1 1/2 time and material
	Holidays	Double time to above rates
Equipment Fee without Operator	City Dump Truck	\$75.00 per hour
	City Vehicle	\$50.00 per hour
	City Backhoe	\$75.00 per hour
	Miscellaneous Utility Equipment	\$25.00 per hour
	Parts	Cost plus 10%

PUBLIC WORKS - CEMETERY		
TYPE	DESCRIPTION	FEE
Opening and Closing	For Normal Lots	\$500.00
Opening and Closing	For Cremation	\$100.00
Single Lot Purchase		\$1,500.00
Double Lot Purchase (2 lots)		\$2,500.00
Saturday Service - Burial	11am to 1pm	\$1,000.00
Saturday Service - Cremation	11am to 1pm	\$250.00
Liner		Actual Cost plus 10%
Liner Setting Fee		\$250.00
Vault		Actual Cost plus 10%
Vault Setting Fee		\$250.00
Niche	Single	\$325.00
	Double	\$425.00
Head Stone Placement	Normal, up to 44" x 20"	\$100.00
	Oversized Stone	\$.15 per square inch
Exhumation		Lesser of \$5000.00 or Actual Contract Cost

PLANNING/LAND USE		
TYPE	DESCRIPTION	FEE
Consultant Fees	NOTE: some applications will require the use of outside consultants. See BDMC 2.60.050	Actual Cost plus 10%
	Deposit	\$1000 min, per consultant quote
Preliminary Plat	Base Application Fee	\$2,000.00
	per lot charge	\$100.00
	Plat Alteration or Vacation	\$1,500.00
	Time Extension - 1 year	\$1,000.00
Final Plat	Base Application Fee	\$1,500.00
	per lot charge	\$100.00
Binding Site Plan	Base Application Fee	\$1,500.00
	per lot charge	\$100.00

## FEE SCHEDULE - ADOPTED 3/3/11

Exhibit B

Preliminary Short Plat	Base Application Fee	\$750.00
	per lot charge	\$100.00
	modified short plat	\$750.00
Final Short Plat	Application Fee	\$750.00
Lot Line Adjustment	Residential application fee	\$300.00
	Non-Residential application fee	\$600.00
Lot Line Elimination	Application Fee	\$250.00
Master Plan Development	Application Fee	\$25,000.00
	per acre charge	\$100.00
Development Agreement	Application Fee	\$1,500.00
	staff review time	Staff Hours + 10%
Annexation	10% Notice of Intent	\$1,000.00
	60% Petition	\$5000 deposit, actual staff time
Conditional Use	Application Fee	\$1,000.00
Administrative Conditional Use	Application Fee	\$250.00
Variance	Single Family Lot	\$500.00
	All Others	\$1,000.00
Administrative Variance	Application Fee	\$250.00
Accessory Dwelling Unit	Application Fee	\$250.00
Shoreline Exemption	Application Fee	\$100.00
Shoreline Substantial Development	Application Fee	\$1,000.00
Shoreline Variance	Application Fee	\$1,000.00
Shoreline Conditional Use	Application Fee	\$1,000.00
Site Plan Review	Application Fee	\$750.00
Comp Plan Amendment	Application Fee	\$2,000.00
Rezone	Application Fee	\$1,000.00
SEPA Checklist	w/ land use or permit application	\$400.00
	w/o permit application	\$500.00
	for each additional study	\$250.00
Environmental Impact Statement	Per consultant contract	Actual Costs plus 10%
Appeal of Administrative Decision	Application Fee	\$250.00
Appeal of SEPA action	Application Fee	\$250.00
Appeal of Notice of Violation	Application Fee	\$250.00
Temporary Use Permit	Application Fee	\$100.00

Transfer Development Rights	Application Fee	\$500.00
	per development credit	\$50.00
	Treasured Place Status	\$250.00
Tree Permit	Level 1 application Fee	\$250.00
	Level 2 application Fee	\$500.00
Reasonable Use Exception	Application Fee	\$250.00
Sensitive Areas Permit	Application Fee	\$500.00
Sensitive Area Utility Exception	Application Fee	\$1,000.00
Formal Code Interpretation	Application Fee	\$150.00
Pre-Application Meeting	1 hour meeting and review of submittal	No Charge
	Additional meetings	\$200.00
Hearing Examiner	Hearing Fee	\$750.00
	actual costs	Hourly Rate + 10%
Public Notice Boards	Per BDMC 18.08	3rd Party Vendor Charge
Signs		
Wall Sign, non electric	25-50sf, 51-99sf, 100+ sf	\$100.00, \$150.00, \$200.00
Wall Sign, electric	25-50sf, 51-99sf, 100+ sf	\$120.00, \$170.00, \$220.00
Ground, non-electric	25-50sf, 51-99sf, 100+ sf	\$140.00, \$190.00, \$240.00
Ground, electric	25-50sf, 51-99sf, 100+ sf	\$160.0, \$210.00, \$260.00
All signs less than 25sf		\$90.00
Change of sign, all sizes		\$90.00
Permit Review	per hour	\$47.00

BDMC 2.62.012 may require the posting of a deposit and payment of actual city costs for certain permits.

Deposits that are listed on the General Fee Schedule are require to be paid in addition to the Permit Fees. The Deposit is used to cover staff costs, engineering, and or other professional consultant costs plus 10%. Deposits will be tracked on a monthly basis. If the cost exceeds the deposit, an additional deposit invoice will be sent in writing. If the additional deposit is not paid within 30 days, the city may discontinue review or work on the project or deem the project incomplete.

At the end of the project, the city will invoice in writing any final costs over the deposits, or refund any remaining balance to the person who made the deposit. Final invoices are due within 30 days.

BUILDING - FIRE		
TYPE	DESCRIPTION	FEE
Building Permit Fee	Based on Project Valuation	See page 10
Building Plan Check Fee	Based on Project Valuation	65% of permit fee, see page 10
Mechanical Permit	Flat Fee plus fixture count	See page 12
Plumbing Permit	Flat Fee plus fixture count	See page 11
Change of Use w/o a TI	Permit Fee & Deposit	\$200 deposit, actual staff hours
Demo - SFR, out-building etc.	Permit Fee & Deposit	\$120 permit, \$1000 deposit
Relocation Permit (incl mfg home)		\$200.00
Mobile Home Title Elimination	Permit Fee	\$100.00
Driveway (stand alone)	expansion & new	\$200.00
Re-Roof permit - Residential	Permit Fee	\$100.00
Re-Roof permit - Commercial/ MF	Permit Fee & Plan Check	based on valuation, see page 10
Miscellaneous Permit	Permit Fee	\$100 deposit + actual hours
Investigation Fee-Work w/o a permit	Permit Fee	Double Req'd permit fees



## FEE SCHEDULE - ADOPTED 3/3/11

Exhibit B

Temporary Certificate of Occupancy	Per 30 day TCO	\$250.00
Permit Extension	180 day extension	\$50.00
Consultant/Peer Review	consultant fees	per contract plus 10%
Fire Permit	Base Fee	\$100.00
Fire Sprinkler/Alarm System Review	Plan Review & Inspection Fee	per contract plus 10%
Fireworks Display	Plan Review & Inspection Fee	per contract plus 10%
Temporary Fireworks Stand	Permit Fee	\$100.00
	Removal Bond-refundable	\$750.00
Fuel/Oil Tanks		
Decommission/Remove	Base Permit Fee	\$100.00
	Plan Review & Inspection Fee	per contract plus 10%
Residential LPG Tanks	Base Permit Fee	\$120.00
	Tank Under 125 gallons, additional	\$45.00
	126 to 500 gallons, additional	\$70.00
	501 gallons and up, additional	\$95.00
	Each 500 gallons additional	\$120.00

## LICENSES

TYPE	DESCRIPTION	FEE
Regular Business License	0-50 employees	Initial Fee \$70 Renewal \$60
	51-100 employees	Initial Fee \$130 Renewal \$120
	101 or more employees	Initial Fee \$210 Renewal \$200
Regular Business License (partial)	Pro-rate: 50% fee reduction after June 30	\$35.00
Temp Business License (30 days)	per 30 day license, maximum of 2 per year	\$15.00
Duplicate Business License	per copy	\$10.00
Relocation/Re-issue	business moves locations	\$10.00
Specialty Licenses		
Pawnbrokers	Yearly	\$100.00
Firearms Dealer	Federal Firearms License, yearly	\$125.00
Solicitors and mobile vendors	per day	\$15.00
	per month	\$50.00
	per year	\$150.00
Carnivals, circus, and shows	per event	\$50.00
Adult Entertainment License	per establishment	\$1,000.00
	operator license	\$100.00
	employees license	\$50.00
Penalty, Late Renewal Payment	Feb 1-28	\$10.00
	Mar 1-31	\$20.00
	April 1-30	\$30.00
	May 1 and after	double renewal fee, collections

## CITY STAFF RATES

TYPE	DESCRIPTION	FEE
City Administrator	Per Hour	\$93.00
Asst. City Administrator/City Clerk	Per Hour	\$78.00
Deputy City Clerk	Per Hour	\$46.00
Finance Director	Per Hour	\$69.00
Deputy Finance Director	Per Hour	\$59.00
Senior Accountant	Per Hour	\$34.00
Community Development Director	Per Hour	\$70.00
Permit Technician Supervisor	Per Hour	\$52.00
Permit Technician	Per Hour	\$45.00
Economic Development Director	Per Hour	\$72.00
Natural Resources	Per Hour	\$73.00

Building Official/Code Official	Per Hour	\$52.00
Public Works Director	Per Hour	\$80.00
Public Works Admin. Asst. 3	Per Hour	\$45.00
Utilities Supervisor	Per Hour	\$72.00
Utility Operator	Per Hour	\$43.00
Utility Worker	Per Hour	\$39.00
Facilities Coordinator	Per Hour	\$49.00
Police Chief	Per Hour	\$90.00
Police Officer w/ vehicle	Per Hour	\$75.00
Police Officer w/o vehicle	Per Hour	\$60.00
Associate Planner	Per Hour	\$45.00
Information Services Manager	Per Hour	\$71.00
Clerical Staff	Per Hour	\$28.00
City Engineer		Per Contract + 10%
City Attorney		Per Contract + 10%
Landscape Architect		Per Contract + 10%
Consultant Planner		Per Contract + 10%
Other Consultant or Contractors		Per Contract + 10%
Hearing Examiner		Per Contract + 10%

### PARKS

TYPE	DESCRIPTION	FEE
Liquor Use Permit	Per Event	\$25.00
Overnight Camping Permit	Per Campsite	\$10.00
Vending Permit	Per Event	\$50.00
Overnight Moorage Permit	Per Boat	\$10.00

### PASSPORTS

TYPE	DESCRIPTION	FEE
Passport Applications must be accompanied by 2 checks, one for the passport fee and one for the execution fee. The passport fee check is made payable to the US Department of State. The execution fee check is made payable to the City of Black Diamond.		
<b>Passport Book</b>		
Passport Fee **	Age 16 and over	\$110.00
Execution Fee		\$25.00
		<b>Total \$135.00</b>
Passport Fee **	Under Age 16	\$80.00
Execution Fee		\$25.00
		<b>Total \$105.00</b>
<b>Passport Card</b>		
Passport Fee **	Age 16 and over	\$30.00
Execution Fee		\$25.00
		<b>Total \$55.00</b>
Passport Fee **	Under Age 16	\$15.00
Execution Fee		\$25.00
		<b>Total \$40.00</b>
Expediting Fee (Book Only)		\$60.00
File Search Fee		\$150.00
Overnight Deliver Return Fee	Passport book only	\$12.72

\*\* Other conditions and restrictions may apply, see City Clerk's office for more details.

MISCELLANEOUS FEES		
TYPE	DESCRIPTION	FEE
Photocopying	per page	\$0.15
Oversize Documents/Plotter copies	per page, black & white	\$5.00
	per page, color	\$7.00
Duplication Audio Tapes CD's	Per tape/CD	\$10.00
Transcription Preparation	staff time or outside agency	actual cost
Notary Public Work		\$10.00
King County Recording Fee	Per page, pass through King County fees	actual cost per King County
Return Check Fee		\$35.00
Return Check Fee plus door hanger for utility payments		\$45.00
Computer Printout List	Set up Fee	\$25.00
	1st 100 pages of printout	\$0.20
	All Additional Pages	\$0.20
City of Black Diamond Maps		\$5.00
Black Diamond Zoning Map	Oversized 18x24 or larger	\$7.00
	11x17	\$3.00
Zoning Ordinance		\$50.00
Comprehensive Plan		\$85.00
Water Comp Plan		\$80.00
Sewer Comp Plan		\$80.00
Municipal Code		Current Publishing Price
Public Works Standards		\$50.00
Stormwater Ordinance		\$25.00
BD Design Standards & Guidelines		\$50.00
Each Section		\$10.00



**Table 1-A BUILDING PERMIT FEES**

<b>TOTAL VALUATION</b>	<b>FEE</b>
\$ 1.00 TO \$500.00	\$26.00
\$501.00 TO \$2,000.00	\$26.00 for the first \$500.00 plus \$3.35 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 TO \$25,000.00	\$76.20 for the first \$2,000.00 plus \$15.40 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 TO \$50,000.00	\$430.40 for the first \$25,000.00 plus \$11.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 TO \$100,000.00	\$708.20 for the first \$50,000.00 plus \$7.70 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 TO \$500,000.00	\$1093.20 for the first \$100,000.00 plus \$6.15 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 TO \$1,000,000.00	\$3556.30 for the first \$500,000.00 plus \$5.25 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 AND UP	\$6169.65 for the first \$1,000,000.00 plus \$4.05 for each additional \$1,000.00, or fraction thereof
<b>Other Inspections and Fees:</b> <ol style="list-style-type: none"> <li>1. Inspections outside of normal business hours ..... \$100.00 per hour' (Minimum charge - two hours)</li> <li>2. Re-Inspection fees ..... \$75.00 per assessment'</li> <li>3. Inspections for which no fee is specifically indicated ..... \$75.00 per hour' (Minimum charge - one hour)</li> <li>4. Additional plan review due to additions or revisions to plans ..... \$84.00 per hour' (Minimum charge - one hour)</li> <li>5. Additional plan review due to Deferred Submittals ..... \$84.00 per hour' (Minimum charge - 1 hour)</li> <li>6. For use outside consultants for plan checking and Inspections or both ..... Actual cost + 10%</li> <li>7. Plan review shall be 65% of the permit fee when required,</li> </ol>	
<p>Public Improvement Projects Fee Waiver. The city administrator may, in his discretion, waive any or all of the permit fees required under the International Building Code and any amendments thereto, for any public improvement project for which the city is providing some or all of the funding for said project.</p>	

'Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

## PLUMBING PERMIT FEES

### Permit Issuance

1. For issuing each permit	\$22.00
2. For issuing each supplemental permit	\$11.00

### Unit Fee Schedule (note the following do not include permit-issuing fee):

1. For each additional plumbing fixture on one trap or a set of fixtures on one trap (including water, drainage piping and back flow protection thereof)	\$8.00
2. For each building sewer and each trailer park sewer	\$17.00
3. Rainwater systems - per drain (inside building)	\$8.00
4. For each water heater and/or vent	\$8.00
5. For each industrial waste pretreatment interceptor including its trap and vent except kitchen-type grease interceptors functioning as fixture traps	\$8.00
6. For each installation, alteration or repair of water piping and/or water treatment, each	\$8.00
7. For each repair or alteration of a drainage or vent piping, each fixture	\$8.00
8. For each lawn sprinkler system on any one meter including back flow protection devices thereof	\$8.00
9. For atmospheric-type vacuum breakers not included in item 12:	
1 to 5	\$6.00
over 5, each	\$1.00
10. For each backflow protective device other than atmospheric type vacuum breakers:	
2 inch (51 mm) diameter and smaller	\$17.00
over 2 inch (51 mm) diameter	\$44.00
11. For initial installation and testing for a reclaimed water system	\$33.00
12. For each annual cross-connection testing of a reclaimed water system (excluding	\$33.00
13. For each medical gas piping system serving one to five inlet(s)/outlet(s) for a specific gas	\$55.00
14. For each additional medical gas inlet(s)/outlet(s)	\$6.00
15. Spa & Hot Tubs	Fixtures count + \$84.00/hr plan review
16. Swimming Pool	Fixtures count + \$84.00/hr plan review

### Other Inspections and Fees:

1. Inspections outside of normal business hours	\$84.00 *
2. Re-inspection fee	\$84.00 *
3. Inspections for which no fee is specifically indicated	\$84.00 *
4. Additional plan review required by changes, additions or revisions to approved plans (min. charge one-half hour)	\$84.00 *

\*Building Official Contract fee + 20%

## MECHANICAL PERMIT FEES

### Permit Issuance and Heaters:

1. For issuing each permit	\$26.00
2. For issuing each supplemental permit for which the original permit has not expired, been canceled or finalized	\$8.00

### Unit Fee Schedule (Note: the following do not include permit-issuing fee):

#### 1. Furnaces

For the installation or relocation of forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance up to and including 100,000 btu/h (29.3kW)	\$16.00
For the installation or relocation of forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance over 100,000 Btu/h (29.3kW)	\$20.00
For the installation or relocation of each floor furnace, including vent	\$16.00
For the installation or relocation of each suspended heater, recessed wall heater or floor mounted unit heater	\$16.00

#### 2. Appliance Vents

For the installation, relocation or replacement of each appliance vent installed and not included in an appliance permit	\$8.00
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#### 3. Repairs or Additions

For the repair of, the alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by the Mechanical Code	\$15.00
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#### 4. Boilers, Compressors and Absorption Systems

For the installation or relocation of each boiler or compressor to and including 3 horsepower (10.6kW) or each absorption system to and including 1,000,000 BTU/h	\$16.00
For the installation or relocation of each boiler or compressor over 3 horsepower (10.6kW) to and including 15 horsepower (52.7kW) to and including 30 horsepower (105.5kW) or each absorption system over 500,000btu/h (146.6kW) to and including 1,000,000 Btu/h (293.1kW)	\$41.00
For the installation or relocation of each boiler or compressor over 30 horsepower (105.5kW) to and including 50 horsepower (176kW) or each absorption system over 1,000,000btu/h (293.1kW) to and including 1,750,000 Btu/h (512.9kW)	\$61.00
For the installation or relocation of each boiler or compressor over 50 horsepower (176kW), or each absorption system over 1,750,000 Btu/h (512.9kW)	\$102.00

#### 5. Air Handlers

For each air handling unit to and including 10,000 cubic feet per minute (cfm) (4719 L/s), including ducts attached thereto (Note: This fee does not apply to an air-handling unit which is a portion of a factory-assembled appliance cooling system, evaporative cooler or absorption unit for which a permit is required elsewhere in the Mechanical Code)	\$12.00
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For each air-handling unit over 10,000 cfm (4719 L/s)	\$20.00
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#### 6. Evaporative Cooler

For each evaporative cooler other than a portable type	\$12.00
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#### 7. Ventilation and Exhaust

For each ventilation fan connected to a single duct	\$8.00
For each ventilation system which is not a portion of any heating or air-conditioning system authorized by a permit	\$12.00
For the installation of each hood which is served by a mechanical exhaust, including the ducts for each hood	\$12.00

#### 8. Incinerators

For the installation or relocation of each domestic-type incinerator	\$16.00
For the installation or relocation of each commercial or industrial type incinerator	\$16.00

#### 9. Gas Piping

Gas piping systems 1-5 outlets	\$15.00
For each additional gas outlet over 5	\$2.00

#### 10. Miscellaneous

For each appliance or piece of equipment regulated by the Mechanical Code but not classed in other appliance categories or for which no other fee is listed in the table	\$12.00
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#### Other Inspections and Fees:

1. Inspections outside of normal business hours, per hour (min. charge 2 hours)	\$84.00 *
2. Inspections for which no fee is specifically indicated, per hour (min. charge one-half hour)	\$84.00 *
3. Revisions to plans or to plans for which an initial review has been completed (min. charge one-half hour)	\$84.00 *

\*Building Official Contract fee + 20%

# CITY COUNCIL AGENDA BILL

City of Black Diamond  
Post Office Box 599  
Black Diamond, WA 98010

ITEM INFORMATION			
<b>SUBJECT:</b> <b>Suggested Rules of Procedure for Development Agreement Closed Record Hearings</b>	<b>Agenda Date: September 15, 2011</b>		<b>AB11-059</b>
	Department/Committee/Individual	Created	Reviewed
	Mayor Rebecca Olness		
	City Administrator –		
	City Attorney –Chris Bacha		
	City Clerk – Brenda L. Martinez		
	Finance – May Miller		
	Public Works – Seth Boettcher		
	Economic Devel. – Andy Williamson		
	Police – Jamey Kiblinger		
Cost Impact:	Court – Stephanie Metcalf		
Fund Source:	Comm. Dev. – Steve Pilcher		
Timeline:			
<b>Attachments: Suggested Rules of Procedure</b>			
<p><b>SUMMARY STATEMENT:</b></p> <p>Based on last year's MPD closed record hearings and the recent Development Agreement open record hearings staff has put together the attached suggested rules of procedure to help achieve a clear and orderly hearing process.</p> <p>The attached suggested rules of procedure incorporate most of the rules used by Council last year during the MPD closed record hearings with a few additions that were used by the Hearing Examiner during the open record proceedings this past July.</p> <p>The intent for tonight is to review and discuss with adoption occurring on the first night of the closed record hearings which is September 21, 2011.</p>			
<b>COMMITTEE REVIEW AND RECOMMENDATION:</b>			
<b>RECOMMENDED ACTION: Discussion only.</b>			
RECORD OF COUNCIL ACTION			
Meeting Date	Action	Vote	
September 15, 2011			

**DA CLOSED RECORD HEARINGS**  
**Suggested Rules of Procedure**

1. Order of hearing (per the agenda); XX hours per night maximum.
2. Establish schedule of continued sessions of hearing (for as many sessions as possible). Otherwise, each session must be continued to a specific place, time and date.
3. XX minutes each for staff presentation, applicant presentation (for both applications combined). Applicant can expand time if necessary.
4. Statements from parties of record (for both applications, combined)
  - XX minutes maximum per individual.
  - Parties may speak only once during the hearings.
  - Sign-in at the hearing required; first come, first heard basis.
  - Parties will be called to speak per order of sign-in sheet. If not present when called, they will be moved to the back of the list. If again not present when called a second time, a party forfeits their right to speak. This portion of the proceedings will close when there are no new parties to call upon.
  - Parties of record may cede their entire XX minute allocation to one other party of record, provided they are present at hearing to cede their time and identify themselves. However, a maximum of XX parties of record can cede their time to another party of record, so that no person may speak for more than XX minutes.
  - Any representative of an organization (which is a party of record) can speak on behalf of the organization.
  - Direct statements only (no Council or staff response to speaker's questions).
  - Only Council may ask clarifying questions of parties at the conclusion of their allotted time.
  - No cross-examination of speakers will be allowed.
  - No objections to testimony allowed. City staff/legal counsel will advise Council if a topic is not on the record.

- Copies of exhibits from the official record of the open record hearing can be obtained at cost. However, map and graphic exhibits will be available during the hearings as provided by the applicant. The full record of both the open and closed record hearings will be available to City Councilmembers during Council deliberations.
  - All written statements must be submitted at the hearing. One statement per individual, maximum length of XX pages doubled spaced. Items will be accepted through the close of the parties of record statements (prior to staff and applicant closing statements).
5. Staff response to oral statements of parties of record (1 hour maximum)
  6. Applicant response to oral statements of parties of record (1 hour maximum)
  7. Staff and applicant will be granted one week to respond in writing to written statements from parties of record.
  8. Council deliberations: in open session and reserving the right for closed sessions if needed.
    - direct staff/City Attorney to prepare findings & conclusions to support whatever decision is reached
    - adopt an ordinance to either approve or remand