

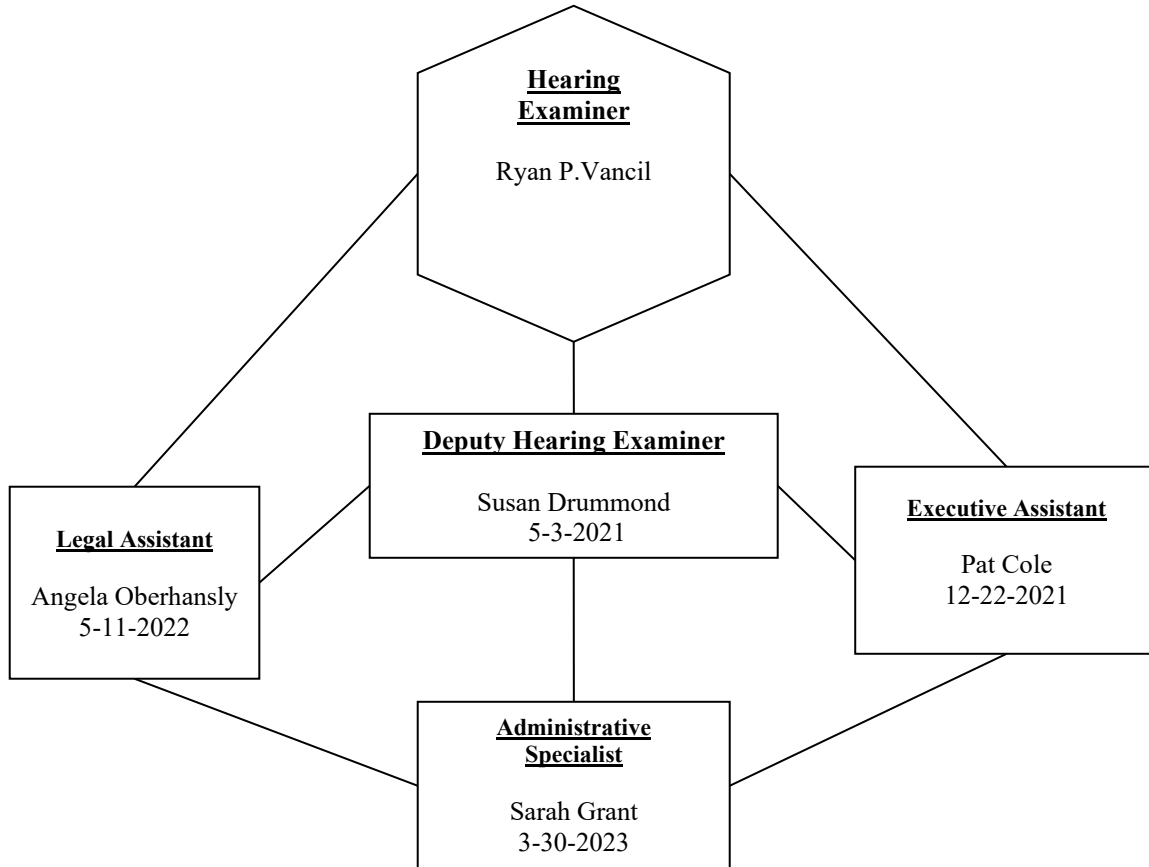
City of Seattle



OFFICE OF HEARING EXAMINER
2024
ANNUAL REPORT

Office of Hearing Examiner
Seattle Municipal Tower, Suite 4000
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Seattle, Washington 98104
Phone: (206) 684-0521

Office of Hearing Examiner Organizational Chart



Mission and Authority

The mission of the Office of Hearing Examiner (“Office”) is to conduct impartial administrative hearings in matters where jurisdiction has been granted by the Seattle Municipal Code (“Code”) and to issue clear and timely decisions and recommendations that are consistent with applicable law.

The position of Hearing Examiner is established in the Seattle Municipal Code. The City Council appoints the Hearing Examiner, who is responsible for all functions of the office, and is authorized to appoint Deputy Examiners and other staff.

The Office of Hearing Examiner was created in 1973 as a part of the Municipal Court. In 1977, it became a separate and independent City office under Chapter 3.02 of the Seattle Municipal Code. Before the Office was created, some appeals of administrative decisions were heard by the City Council; others went directly to court. Pursuant to authority conferred throughout the Code, the Office of Hearing Examiner now provides an independent hearing forum to review decisions made by numerous City agencies, make initial decisions on some matters, and provide the City Council with recommendations on some types of land use applications.¹

¹ A list of matters within the Hearing Examiner’s jurisdiction is found at pg. 15.

Contracting

Since 2004, the Hearing Examiner had been authorized by Seattle Municipal Code to provide hearing examiner services to other jurisdictions via contract. Starting in 2018, and continuing into 2021, the office ended contract services to the Cities of Kirkland, Mercer Island, Shoreline, and Tukwila. This change in practice was precipitated by a caseload increase associated with the region's development boom. In order to focus office resources on the Seattle caseload, contract services were ended.

During the COVID-19 pandemic, our caseload decreased and our new Deputy Hearing Examiner expressed an interest in resuming contract examiner services. We currently provide contract examiner services to three cities: Kirkland, Milton, and Pacific. In 2024, from March through December, we conducted 7 hearings and issued 7 decisions.

The Office of Hearing Examiner is a General Fund department. In 2024, we deposited nearly \$8,000 in contracting revenue into the General Fund.

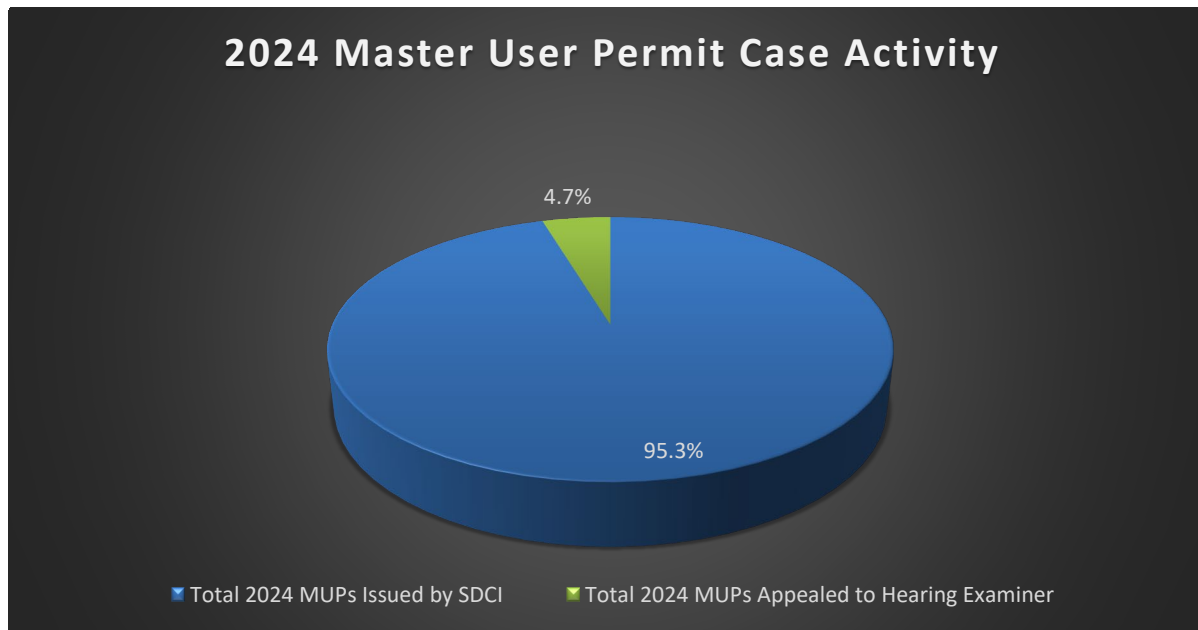
2024 Caseload

Table I presents an overview of case activity for 2024.

	2024	2023	2022	2021	2020	Previous 5-Yr Average
B & O Tax Appeals	3	3	0	2	2	2
Civil Service	1	1	1	0	0	0.6
Council Land Use Actions	2	3	2	3	3	2.6
Dangerous Animals	4	0	1	2	3	2
Discrimination	5	3	1	0	2	2.2
Economic Displacement Appeals (landlord)	43	43	0	0	0	17.2
Floating Homes	0	0	1	0	2	0.6
Labor Standards	1	0	0	4	3	1.6
Land Use Code Interpretations	0	0	0	2	5	1.4
Landmarks - Special Review Districts	2	1	0	2	2	1.4
Licensing Appeals	1	0	1	6	3	2.2
Master Use Permits	16	12	14	24	28	18.8
Noise Variance	0	0	2	0	0	0.4
Public Nuisance Violation Appeals	20	2	0	0	0	4.4
Rental Registration	0	0	1	0	0	0.2
School Development Departure	1	9	0	0	0	2
Sepa-Only Appeals (Non MUP)	1	2	3	7	1	2.8
Stop Work	0	0	1	0	0	0.2
Street Use	1	0	0	0	0	0.2
Tenant Relocation Assistance Eligibility Appeals	8	10	13	4	16	10.2
Utility Service Appeals-3rd Party Billing	16	7	7	10	15	11
Waterfront Local Improvement District	0	0	0	0	442	n/a
Total Without Citations	125	96	48	66	527	172.4
SDCI Land Use Citation Enforcement Actions	166	147	101	130	128	134.4
SDOT Citation Enforcement Actions	167	248	234	221	141	202.2
Marijuana Citation Enforcement Actions	2	3	0	0	0	1.0
Nightlife Noise Enforcement Actions	2	0	2	0	0	0.8
Short Term Rental (FAS)	2	3	0	0	0	1.0
SFD Citation Enforcement Actions	986	155	135	17	73	273.2
Total Citations	1325	556	472	368	342	612.6
Grand Total	1450	652	520	434	869	785

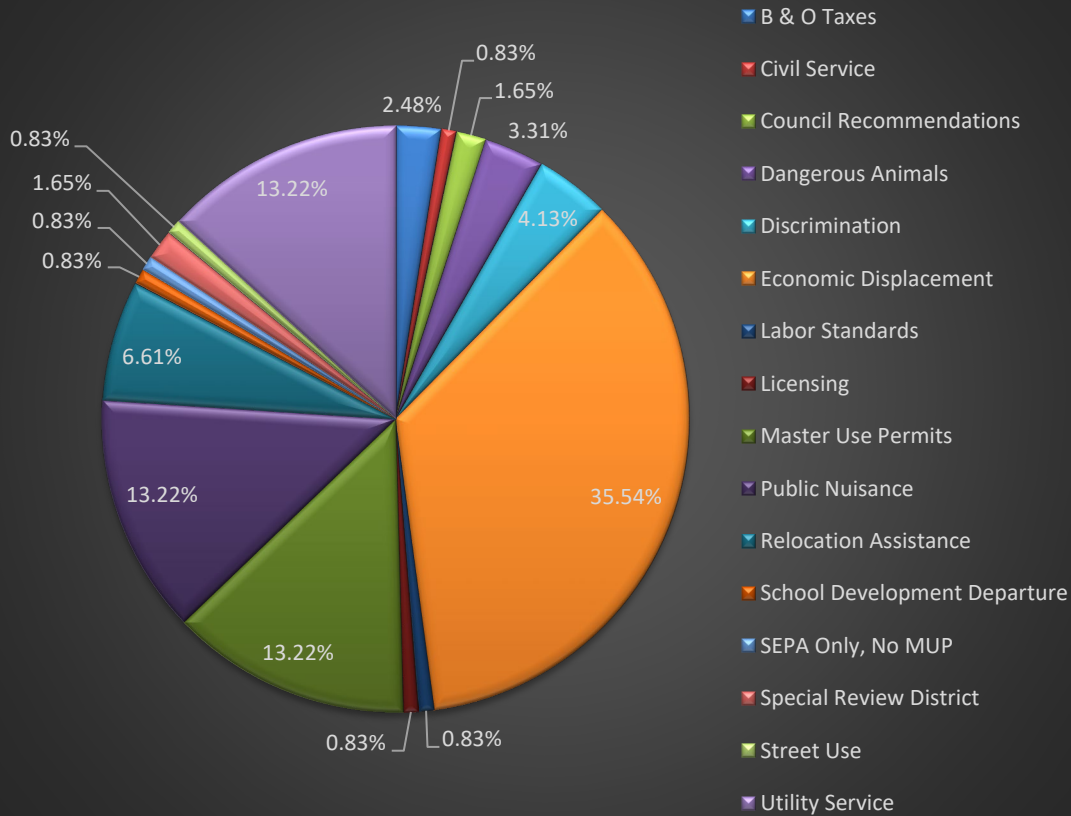
A **Master Use Permit, or “MUP,”** is a document issued to a permit applicant that includes all land-use decisions made by the Seattle Department of Construction and Inspections (“SDCI”) on an application. MUP appeals, as well as SEPA appeals, are some of the most complex matters handled by the Hearing Examiner, as they often involve multiple parties, complicated facts, substantial controversy, several days for hearings, and considerable time for research, review, and decision-writing. The number of MUP appeals filed was 28 in 2020 in the midst of the Covid-19 Pandemic, 24 in 2021, down to 14 and 12, respectively in 2022 and 2023, and slightly up in 2024 with 16 filings.

The Seattle Department of Construction and Inspections issued 328 MUPs in 2024. In most years, approximately 3% to 4% of MUPs are appealed to the Hearing Examiner. The appeal rate in 2024 was about 4.7%.



“**SEPA-only**” appeals are appeals of environmental determinations made for two types of proposals: 1) proposals, such as legislation, that do not require a MUP or Council land use decision; and 2) proposals that require a MUP or a Council land use decision, but a department other than SDCI makes the environmental determination on the proposal. SEPA-only appeals have fluctuated from year to year. In 2020 we received one SEPA-only appeal. In 2021 SEPA-only appeals increased and seven were filed, it then dipped to three appeal filings in 2022, held steady in 2023, and dipped again with one SEPA-only appeal filed in 2024.

2024 Non-Citation Cases Filed by Type



Citation Enforcement Cases Filed

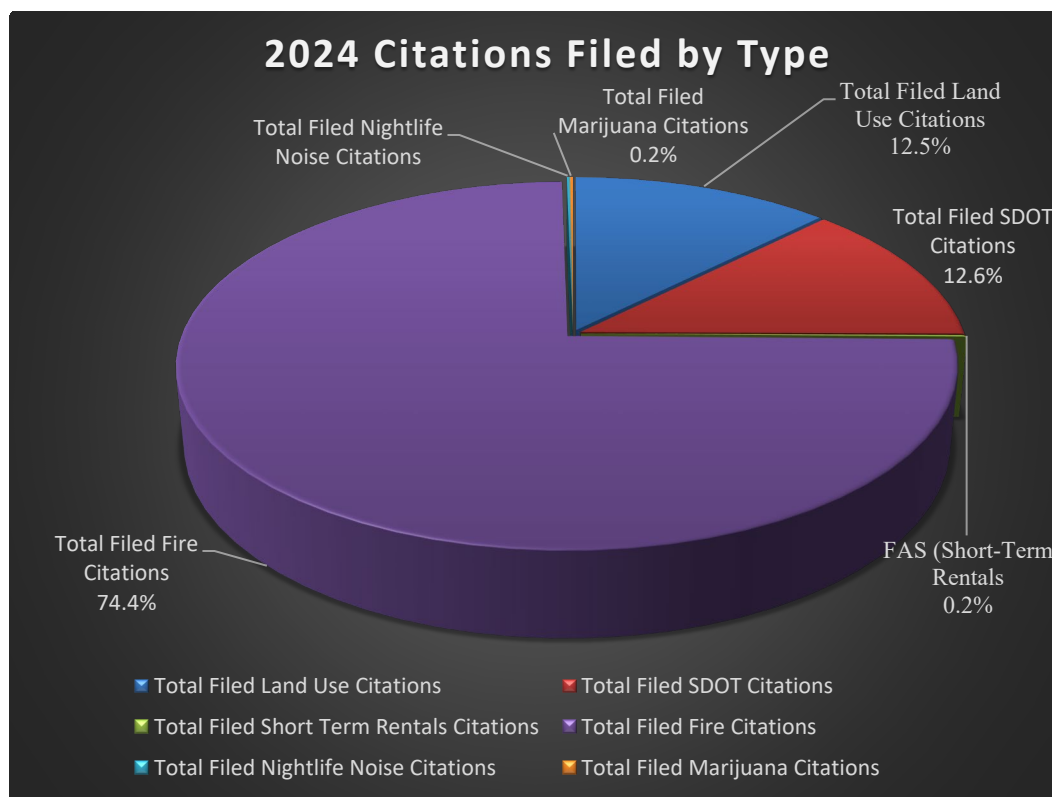
Citation enforcement cases follow a unique procedure, and we track them separately from other categories of cases. When a citation is issued, a copy is sent to the Office of Hearing Examiner. In addition, some citations are uploaded, from two separate City tracking systems, into the Office of Hearing Examiner's electronic case management system. If someone files an appeal of a citation, it is removed from the others and set up for an appeal hearing and decision. For citations that are neither paid nor appealed, the Hearing Examiner sends out Code-required orders of default, which note the failure of the party to respond, find that the violation has been committed, and impose the prescribed penalty.

The total number of **Land Use Citations (combined Land Use Code and Noise Code citations)** was 128 in 2020, which remained steady at 130 citation in 2021. 2022 saw a decrease to 101 citations and a rise to 147 in 2023 and to 166 in 2024. These numbers continued to remain low compared to the number of citations in years previous to 2018, which averaged over 300.

Marijuana citation appeals were reduced to zero filed in 2020, 2021, and 2022. While marijuana businesses seem to have mostly come into compliance since the time of licensing for such businesses passed into legislation, there were three appeals filed in 2023 and two appeals filed in 2024.

Seattle Department of Transportation (“SDOT”) citations continue to reflect the impact from the Covid-19 Pandemic in that only 141 citations were processed in 2020, 221 in 2021, 234 in 2022, 248 in 2023, and down to 167 in 2024.

In fall 2019, the Council passed legislation allowing the **Seattle Fire Department (“SFD”)** to issue citations concerning Fire Code violations, including frequent false alarms, failure to maintain fire alarms and sprinklers, and failure to maintain exits free from obstructions. That same legislation allows for appeals of citations to the Office of Hearing Examiner, and for the Office to provide administrative support to SFD by processing payments and citation database management. In early 2020 the Office started receiving its first SFD citations and processed a total of 73 SFD citations, this number was reduced to 17 in 2021, and continues to rise. In 2022 and 2023, 135 and 155 citations, respectively, were issued. In 2024, 986 SFD citations were issued; a 636% increase over 2023.



Prehearing, Hearing, and Decision Activity

Prehearing Conferences. Under the Hearing Examiner Rules, prehearing conferences can be held at the request of a party to a case or the direction of the Hearing Examiner. The prehearing conference is used to organize and prepare a case for hearing, including clarifying the issues to be addressed, facilitating disclosure of each party's intended witnesses and exhibits, establishing a case schedule for prehearing motions, and other matters. Following the conference, the Examiner normally prepares a prehearing order memorializing any agreements reached, rulings made at the conference, and dates set for the hearing schedule. Prehearing conferences are usually held in MUP, SEPA, tax, dangerous animal, discrimination, and third-party billing cases and are scheduled in other types of cases as needed. They occasionally provide the catalyst for the eventual settlement of a case, as the parties are asked if they have considered mediation or settlement, and may work during the conference to clarify the issues underlying the appeal and often stay for additional private discussions after the Hearing Examiner leaves the room.

Prehearing Decisions. Prehearing motions are frequently filed in MUP, SEPA, landmark, interpretation, and tax cases, and on SEPA or design review issues in some Council recommendation cases. Most concern substantive or procedural legal issues that the parties address in written memoranda. They usually require legal research and a written decision by the Examiner, and sometimes, but do not always, require a separate hearing. Decisions on prehearing motions affect whether, and how, a case proceeds to hearing by narrowing the issues or determining in advance whether certain testimony or evidence will be admissible at hearing. Consequently, most prehearing decisions can be appealed to court as part of an appeal of the final decision in a case. Because work on prehearing decisions involves considerable Examiner time, the Office of Hearing Examiner includes the orders in the "decisions issued" category of annual statistics.

Hearings. The length of a hearing before the Hearing Examiner depends upon many variables, such as the type and complexity of a case, the number of witnesses, and the parties' level of preparation and expertise in the subject area. Consequently, one case may take an hour to hear, while another may require several hours, or several days. Because of the great variety in the types of cases that come before the Office of Hearing Examiner, we do not track the number of hearing hours or hearing days per case. All dates dedicated to a hearing are counted together as one hearing regardless of the time involved.

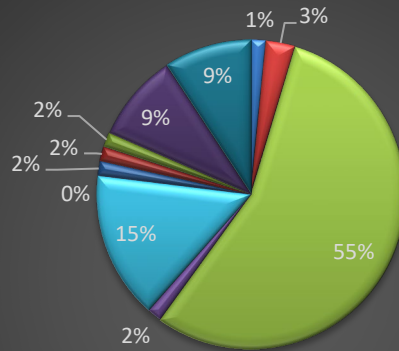
Total decisions. As noted above, total decisions include decisions issued after a full evidentiary hearing and those issued following submittal of legal memoranda and exhibits, and sometimes oral argument, on the party's prehearing motions. In 2024, the Office of Hearing Examiner issued 68 decisions.

Table 2 – CASE ACTIVITY SUMMARY

	2024 Cases Filed				2024 Case Disposition			
	Pending Appeals at Start of Year	Cases Filed	Total Caseload	Cases Heard**	Decisions Issued**	Cases Dismissed (No Hearing)***	Defaults Issued (Untimely)	Pending Appeals at End of Year
B&O Tax Appeals	0	3	3	0	0	1	0	2
Civil Service Appeals	0	1	1	0	0	0	0	1
Council Land Use Actions	0	2	2	1	1	0	0	1
Dangerous Animals Appeals	0	4	4	3	2	1	0	1
Discrimination Complaints	1	5	6	0	0	5	0	1
Economic Displacement Relocation Assistance	4	43	47	37	36	9	0	2
Labor Standards Appeals	3	1	4	3	1	0	1	0
Licensing Appeals	0	1	1	0	0	0	0	1
Master Use Permits	5	16	21	10	10	4	0	7
Public Nuisance Appeals	2	20	22	3	3	18	0	1
School Development Departure Appeals	0	1	1	1	1	0	0	0
Sepa-Only Appeals (Non Mup)	1	1	2	0	1	1	0	0
Special Review Districts	0	2	2	1	1	1	0	0
Street Use Appeals	0	1	1	0	0	1	0	0
Tenant Relocation Assistance Eligibility Appeals	0	8	8	6	6	1	0	1
Utility Service Complaints	0	16	16	8	6	7	0	4
Total	16	125	141	73	68	49	1	22
Land Use Citation Enforcement Actions	32	166	198	12	12	68	100	18
FAS Short Term Rental Enforcement Actions	3	2	5	0	0	0	4	1
FAS Marijuana Enforcement Actions	1	2	3	1	1	0	2	0
Nightlife Noise Citation Enforcement Actions	0	2	2	0	0	1	0	1
SDOT Citation Enforcement Actions	30	167	197	10	10	35	135	17
SFD Citation Enforcement Action	5	986	991	30	30	368	549	44
Total Citations	71	1325	1396	53	53	472	790	81
Total Including Citations	87	1450	1537	126	121	521	791	103

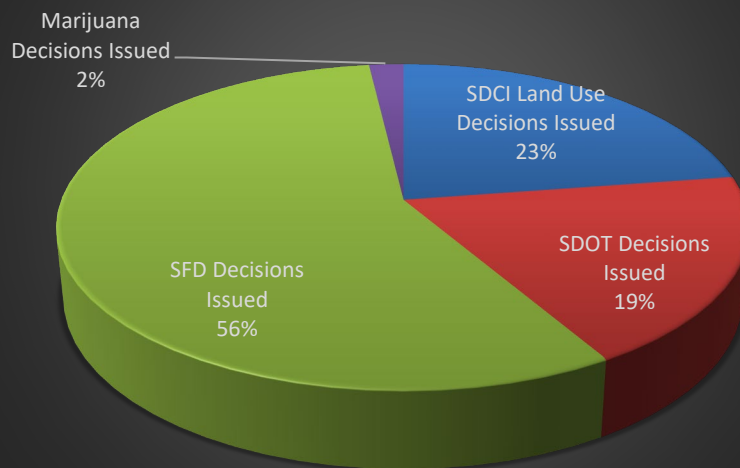
*Indicates some cases in category may have multiple hearings or decisions/** Indicates some cases in category were pending from prior years or will carry-over into subsequent years /***Indicates rescinded citations, posthumous dismissals, or fines paid prior to default.

2024 Non-Citation Decisions Issued by Type



- Council Land Use Action
- Economic Displacement
- Master Use Permits
- School Development & Departure
- SEPA only, No MUP
- Dangerous Animals
- Labor Standards
- Public Nuisance
- Special Review District
- Tenant Relocation Assistance

2024 Citation Decisions Issued by Type



Disposition of Appeals to the Hearing Examiner

At the request of the Council, the Office of Hearing Examiner includes in the Annual Report a breakdown of the outcome of cases appealed to the Hearing Examiner. Table 3 shows the disposition of appeals by type of case, and is followed by an explanation of the standard of review required in each type.

Table 3 - DISPOSITION OF APPEALS*

	Affirmed	Approved, with Conditions	Affirmed, Penalty Mitigated	Denied	Dismissed	Rescinded	Reversed	Remanded	Sustained	Total
Dangerous Animals Appeals	1	0	0	0	1	0	0	0	0	2
Economic Displacement Relocation Appeals	9	0	0	10	3	0	6	1	7	36
Labor Standards Appeals	0	0	0	1	0	0	0	0	0	1
Master Use Permits	6	2	0	0	1	0	0	0	1	10
Public Nuisance Appeals	0	0	2	0	1	0	0	0	0	3
School Development/Departures Appeals	0	0	0	0	0	0	0	0	1	1
Sepa-Only Appeals (Non Mup)	0	0	0	1	0	0	0	0	0	1
Tenant Relocation Assistance Eligibility Appeals	2	0	0	0	0	0	2	0	2	6
Total Without Citations	18	2	2	12	6	0	8	1	11	60
Land Use Citation Enforcement Actions	1	0	9	0	0	0	0	0	2	12
FAS Marijuana Citation Enforcement Actions	1	0	0	0	0	0	0	0	0	1
SDOT Citation Enforcement Actions	2	0	5	0	1	0	1	0	1	10
SFD Citation Enforcement Actions	8	1	17	0	2	0	0	0	2	30
Total Citations	12	1	31	0	3	0	1	0	5	53
Total Including Citations	30	3	33	12	9	0	9	1	16	113

*Includes only final decision on appeals. Does not include subdivision applications, third party billing complaints or recommendation to the City Council

Jurisdiction

Appeals. The Office of Hearing Examiner tracks all cases that come into the Office as “Cases Filed.” The most numerous of these are appeals of decisions made by other City agencies, such as: 1) the Seattle Department of Construction and Inspections (master use permits, SEPA determinations, Land Use Code interpretations, land use and noise enforcement citations, and decisions on tenant relocation assistance); 2) the Office of Planning and Community Development (SEPA determinations on programmatic initiatives, such as comprehensive plan amendments and area-wide rezones); 3) the Department of Finance and Administrative Services (tax assessments, licensing decisions, and marijuana citations); 4) the Office of Labor Standards (decisions on alleged violations of City ordinances on paid sick and safe leave, minimum wage, wage theft, and use of criminal history in hiring); and 5) the Seattle Department of Transportation (citations related to right-of-way use).

Original Jurisdiction. In cases where the Hearing Examiner has original jurisdiction, the Examiner makes the initial decision in a case rather than reviewing another department's decision. Original jurisdiction cases include: 1) subdivision applications processed by the Seattle Department of Construction and Inspections; 2) complaints filed by the Office for Civil Rights and Seattle City Attorney's Office for discrimination in employment, housing, public accommodation, or public contracts; 3) complaints for third party utility billing violations; 4) petitions for review of floating home moorage fee increases; and several others.



Recommendations. The City Council has retained jurisdiction over certain land use actions, including Council conditional uses, rezone proposals, major institution master plans, planned unit developments, and landmark controls and incentives. For these cases, the Examiner holds a public hearing for the Council, gathers information to establish the record, and forwards the record and detailed written findings, conclusions and recommendation to the Council for its use in making the decision.

Judicial Appeals of Hearing Examiner Decisions

At the request of the City Council, and with the assistance of the City Attorney's Office, the Office of Hearing Examiner tracks the results of judicial appeals of Hearing Examiner decisions. The following case was appealed in 2024:

In *Baja Concrete USA Corp v. City of Seattle*, Superior Court # 24-2-09042-8 SEA Baja Concrete USA Corp. and other parties filed appeals of a final order entered by the Office of Labor Standards ("OLS"), finding that those parties had violated the Seattle Municipal Code, including the Wage Theft Ordinance, SMC 14.20; Minimum Wage Ordinance, SMC 14.19; and, the Paid Sick and Safe Time Ordinance, SMC 14.16. OLS required various measures for the parties to come into compliance and a financial remedy of \$ 2,225,990.30. The Examiner affirmed the OLS order with regard to Baja Concrete USA Corp. and Newway Forming Inc., but reversed the order with regard to another appellant. Baja Concrete USA Corp. and Newway Forming Inc. appealed the Examiner's decision to King County Superior Court. Newway Forming Inc. filed for a matter of right review with the Court of Appeals on September 30, 2024, and briefing was concluded on December 2, 2024 with the parties awaiting a determination from the Court of Appeals at the end of the year. (LS-21-002-004)

Case Highlights



Each year includes cases that are noteworthy, either because of the controversy surrounding them or because they present important issues in the application of the Seattle Municipal Code or other regulations. The brief, case descriptions that follow highlight some of these cases that came before the Hearing Examiner in 2023. (The complete decision or recommendation can be found through the “Decisions” link at

www.seattle.gov/examiner using the Hearing Examiner case number included after each case name below.)

***Koon & Sparks v. SDCI/Suhr*, EDRA 24-0020 (August 20, 2024).** The City’s Economic Displacement Relocation Assistance Ordinance, Chapter 22.212 SMC (“EDRA”) provides low-income tenants relocation assistance when they relocate due to a 10% or more rent increase and meet various other code requirements. In *Koon*, the dispute was over whether the tenant was low-income, given income from real property and brokerage account holdings. The Examiner determined that income from all sources must be considered, not just earned income. This included proceeds from brokerage assets and a real estate sale which enabled a \$730,000 home purchase, as well as a 15% ownership stake in a business which held property with an assessed value for property tax purposes of \$2,269,000. Given the income from these assets, the Examiner determined the tenant was not low income and did not qualify for EDRA relief.

***Hogan v. Arboreal Management*, US 24-011 (December 2, 2024).** The Third Party Utility Billing Regulation, Ch. 7.25 SMC, provides for Examiner review of landlord third party utility billing practices. Landlords may recoup third party utility billing costs. However, they must disclose the methodology used for invoicing and not charge tenants more than the utility is charging them. In *Hogan*, the required disclosures were not provided and the charges appearing on the tenant’s ledger did not match the code required utility invoices provided to the tenant. The Examiner determined that without compliance, the disputed utility charges of \$459.43 were not recoverable. The code based penalty of \$200 and \$5 filing fee were awarded the tenant.

***Wang and Poole et. al, v. SDCI/Neiman*, MUP-24-009, 10, 11, 12 & 13 (January 7, 2025).** The Department of Construction and Inspections issued a Steep Slope Erosion Hazard Area Variance under SMC 25.09.290 to construct a two-story single-family residence with two attached accessory dwelling units. The Department also issued a code interpretation. Five appeals ensued and were consolidated. The appeal was highly technical, but essentially focused on whether the hillside’s top of slope should be measured from the top of the hill or from a break in topography located lower down.

The code defines “top of a slope” for purposes of delineating a steep slope erosion hazard area as “a distinct topographic break in slope that separates slopes inclined at less than 40 percent from slopes inclined at 40 percent or more.”² An alternative “top of a slope” measurement, called the “continuous” method at hearing, is used “[w]here no distinct break exists.”³ The slope’s top is then located where there is a ten foot or more vertical drop over 25 horizontal feet.⁴

Expert geologist testimony explained how, on this hillside, below the hill’s top, there was a clear topographic distinction between areas with slopes inclined at less than 40 percent and areas with slopes inclined at over 40 percent. Applicant and Department geotechnical engineers agreed the break was distinct enough to constitute the top of the slope, consistent with the code, allowing variance criteria to be applied using this approach. With the expert testimony explaining the approach, the Examiner determined the approach followed Code, though noted the appellants’ questions were legitimate and the Code could take varying approaches to measuring steep slopes.

² SMC 25.09.012.A.3.b.5.b.

³ *Id.*

⁴ *Id.*

ADMINISTRATIVE SECTION

Accessibility

An administrative hearing before the Hearing Examiner is a quasi-judicial process that involves the application of existing law and policy to the specific facts of a case. Constitutionally guaranteed due process requires procedural safeguards for those whose rights are affected by the outcome of the case. The hearing format resembles an informal court proceeding and is structured to provide a fair opportunity for each party to participate while also reflecting the seriousness of the matters appealed for those involved.

The Office of Hearing Examiner uses various tools to make the appeal and hearing processes understandable and more accessible while at the same time protecting the rights of parties and fulfilling legal requirements. Examples include: a “Public Guide,” which is a booklet that explains the hearing process in a question and answer format; “fill-in-the-blanks” appeal forms; an explanatory letter that is sent along with the notice of hearing in each case; sample forms for use in cases before the Examiner, and two pocket-sized pamphlets that include basic information about the hearing process and are available from our website, and at the Office. In addition, the Office’s pamphlet on code enforcement citation hearings is included with each citation issued by SDCI and SDOT. If appropriate, an information card in one of the City’s seven core languages is also handed out with the citation. The card explains what basic hearing-related information is available from the Office of Hearing Examiner.

In 2019 the Office continued to expand access to the Office for individuals for whom English is not their first language. Language interpreters are provided for appeal hearings when requested. The form for filing Land Use and SEPA appeals has been translated into the City’s seven core languages, and appellants may file an appeal in the language of the form. Information pamphlets concerning Third-Party Utility Billing appeals were also translated into the City’s seven core languages. As funding is made available, the Office will continue to have materials translated until all primary office materials can be accessed in the City’s seven core languages. LanguageLine Solutions interpretation services are now provided to individuals utilizing the Office.



Four assisted listening devices have been purchased and are made available for use by participants or audience members during hearings proceedings.

The Office accepts credit and debit cards for payment of filing fees and citation penalties, and we are the only hearing examiner office in the state to offer the option of electronic filing of appeals and subsequent documents in our cases. This is provided through a portal on the Office of Hearing Examiner website. We also provide 24-hour public access to our case files, including recordings of hearings, through the website. A Listserv on the website allows people to receive updates on proposed rule changes and other matters. We also solicit feedback from everyone who participates in a hearing. Our “Customer Satisfaction Survey” is available on-line as well as in the office and hearing rooms; it is also administered quarterly via SurveyMonkey and may be submitted anonymously through these forums.

Hearing Examiner decisions dating back to 1990 are available in a searchable database through a link on the Hearing Examiner’s website at www.seattle.gov/examiner. Although not searchable, decisions prior to 1990 are available by year on the website, which also includes the Hearing Examiner Rules, the “Public Guide,”

appeal forms and fee and payment information, information on mediation of cases, public records request information, other information, and links to the Seattle Municipal Code and other resources relevant to matters that come before the Hearing Examiner.



HEARING EXAMINER JURISDICTIONS

LAND USE & ENVIRONMENTAL [Administered by Department of Construction and Inspections]

Appeals:

Downtown Housing Maintenance (SMC 22.220.140)
Denial or Revocation of Rental Housing Registration (SMC 22.214.045)
Environmental Determinations (SMC 25.05.680)[Admin. by any City dept. as lead agency]
Environmentally Critical Areas
 Conditional Use (SMC 25.09.260)
 Reasonable Use Exception (SMC 25.09.300)
 Variance (SMC 25.09.160.C, 25.09.280)
Habitable Building Standards Variances (SMC 22.206.217)
Housing & Building Maintenance Code Violations (SMC 22.208.050)
Land Use Code Citations (SMC 23.91.006, 23.91.010, 23.91.012)
Land Use Code Interpretations (SMC 23.88.020)
Land Use Regulations (SMC 23.47A.004)
Adult Cabarets (SMC 23.49.030)
Land Use Regulations – Industrial (SMC 23.50.012)
Land Use Regulations – Affordable Housing Impact Mitigation Program for Commercial Development – (SMC 23.58B.030)
Land Use Regulations – Mandatory Housing Affordability for Residential Development (SMC 23.58C.035)
Land Use Regulations – Seattle Shoreline Master Program Regulations (SMC 23.60A.064, 23.60A.202, 23.60A.203, 23.60A.204, 23.60A.214)
Land Use Regulations – Station Area Overlay District (SMC 23.61.016)
Land Use Regulations – Master Planned Communities (SMC 23.75.085, 23.75.120)
Master Use Permit [Type II] decisions (SMC 23.76.06, SMC 23.76.022):
 Administrative Conditional Uses
 Consistency with Planned Action Ordinance and EIS
 Design Review
 Downtown Planned Community Developments
 Establishing Light Rail Transit Facilities
 Establishing Monorail Transit Facilities
 Major Phased Developments
 Short Subdivisions
 Special Exceptions
 Temporary Uses
 Variances
Noise Code Variances (SMC 25.08.590, 25.08.610, SMC 25.08.655)
Noise Code Citations (SMC 25.08.900, 25.08.910, 25.08.920, 25.08.930, 25.08.940, 25.08.950)
Pioneer Square Minimum Maintenance Violations (SMC 25.28.280, 25.28.300, 25.28.310)
Relocation Assistance: (City action causes displacement) (SMC 20.84.225, SMC 20.84.640)
Stop Work Orders (SMC 23.76.034)
Stormwater, Grading & Drainage exceptions (SMC 22.800.040)
Tenant Relocation Assistance Eligibility Determinations (SMC 22.210.100, 22.210.110, 22.210.120, 22.210.150, 22.210.160)
Weed and Vegetation Citations (SMC 10.52.031, 10.52.032, 10.52.034, 10.52.035, 10.52.036)
[Admin. by SDCI]

Land use decisions on Type III applications

Subdivisions (SMC 23.76.024 and SMC 23.22.054)

Recommendations to City Council on Type IV applications (SMC 23.76.036, SMC 23.76.052, SMC 23.76.054):

Council Conditional Uses

Major Amendment to Property Use and Development Agreement (SMC 23.76.058)

Major Institution Master Plans (SMC 23.69.030)

Public Facilities (SMC 23.69.032)

Rezone Applications (SMC 23.34)

SCHOOL REUSE & DEPARTURES [Administered by Department of Neighborhoods]

School Development Standard Departures (SMC 23.79.012) within MUP decision

School Reuse/SUAC (SMC 23.78.014) within MUP decision

CIVIL RIGHTS [Administered by the Office for Civil Rights]

Employment Discrimination Complaints (SMC 14.04.150, 14.04.170, 14.04.180, 14.04.185)

Unfair Public Accommodations Practices (SMC 14.06.040, 14.06.110, 14.06.120, 14.06.130, 14.06.140)

All-Gender Single-Occupant Restrooms Requirements (SMC 14.07.040)

Fair Housing (SMC 14.08.170, 14.08.180, 14.08.200)

Use of Criminal Records in Housing (SMC 14.09.085, 14.09.090,

Fair Contracting Practices (SMC 14.10.120, 14.10.130, 14.10.140, 14.10.150)

Paid Sick/Safe Leave Appeals (SMC 14.16.050, 14.16.070, 14.16.085, 14.16.090, 14.16.100, 14.16.105)

Fair Chance Employment Appeals (SMC 14.17.045, 14.17.060, 14.17.065, 14.17.075, 14.17.080)

Minimum Wage Appeals (SMC 14.19.050, 14.19.070, 14.19.085, 14.19.090, 14.19.100, 14.19.105)

Wage Theft Appeals (SMC 14.20.030, 14.20.050, 14.20.065, 14.20.070, 14.20.080, 14.20.085)

The Use of Conversion Therapy on Minors (SMC 14.21.050)

Secure Scheduling (SMC 14.22.065, 14.22.085, 14.22.100, 14.22.105, 14.22.115, 14.22.120)

Domestic Workers (SMC 14.23.095, 14.23.095, 14.23.100, 14.23.105, 14.23.115, 14.23.120)

Protecting Hotel Employees from Violent or Harassing Conduct (SMC 14.26.150, 14.26.170, 14.26.180, 14.26.210, 14.26.220)

Protecting Hotel Employees from Injury (SMC 14.27.150, 14.27.170, 14.27.180, 14.27.190, 14.27.210, 14.27.220)

Improving Access to Medical Care for Hotel Employees (SMC 14.28.150, 14.28.170, 14.28.180, 14.28.210, 14.28.220)

Hotel Employees Job Retention (SMC 14.29.170, 14.29.180, 14.29.190, 14.29.210, 14.29.220)

LANDMARKS AND SPECIAL DISTRICTS [Administered by the Dept. of Neighborhoods]

Certificates of Approval for Designated Landmarks (SMC 25.12.740)

Factors to be considered by Board or Hearing Examiner (SMC 25.12.750)

Hearing Examiner procedure (SMC 25.12.760)

Landmark Controls & Incentives (SMC 25.12.530) [Recommendations to City Council]

Owner's objections to Board's recommendation (SMC 25.12.535)

Scheduling of hearing (SMC 25.12.540)

Hearing Examiner procedure (SMC 25.12.560)

Basis for Hearing Examiner's recommendations. (SMC 25.12.570)

Hearing Examiner recommendations – Referral to Council (SMC 25.12.610)

Service of notices (SMC 25.12.840)

Landmarks Code Interpretations (SMC 25.12.845)

Conformance with general development (SMC 25.12.980)

Special Review Districts' Certificate of Approval and Code Interpretations
Certificate of Approval – Application, review and appeals (23.66.030)
Ballard Avenue Landmark District (SMC 25.16.110 & SMC 25.16.115)
Columbia City Landmark District (SMC 25.20.110 & SMC 25.20.115)
Fort Lawton Landmark District (SMC 25.21.110, 25.21.130 & 25.21.135)
Harvard Belmont Landmark District (SMC 25.21.110, 25.22.130 & SMC 25.22.135)
International District (25.24.080 & 25.24.085)
Pike Place Market Historical District (SMC 25.24.080 & SMC 25.24.085)
Pioneer Square Historical District (SMC 25.28.280, 25.28.300, 25.28.310)
Sand Point Naval Air Station Landmark District (SMC 25.30.090, 25.30.110, 25.30.120)

HEALTH AND PUBLIC SAFETY CODE VIOLATIONS

Graffiti Nuisance Violations (SMC 10.07.050) [Administered by Seattle Public Utilities]
Health Code Permit Actions (SMC 10.01.220) [Admin. by Seattle-King County Public Health]
Infectious Waste Management Ordinance Violations (SMC 21.43.090) [Admin. by Seattle-King County Public Health]
Public Nuisance Abatements (SMC 10.09.100) [Administered by Seattle Police Department]
Frozen Dairy Food Products (SMC 10.18.140) [Administered by Seattle-King County Public Health]
Noise Variance (SMC 25.08.610)
Radiofrequency Radiation Ordinance Violations (SMC 25.10.540) [Admin. by Seattle-King County Public Health]
Corrosion Prevention (SMC 21.08.350, 21.08.360) [Admin. By Seattle-King County Public Health]

CITY TAXES AND LICENSES [Admin. by Financial and Admin. Serv., Revenue & Consumer Affairs]:

Admission Tax Exemptions (SMC 5.40.028, SMC 5.40.085)
All Ages Dance and Venues (SMC 6.295.180)
Bond Claims (SMC 6.202.290)
Business and Occupation and other Tax Assessments (SMC 5.55.140, 5.55.150, 5.55.230)
Income Tax on High-Income residents (SMC 5.65.160, 5.65.170, 5.65.230)
Multifamily Housing Property Tax Exemption (SMC 5.72.110)
2004 Multifamily Housing Property Tax Exemption Program (SMC 5.73.110)
Horse Drawn Carriage Licenses (SMC 6.315.430)
License Denials, Suspensions & revocations (SMC 5.55.230, SMC 6.02.080, SMC 6.02.285, SMC 6.214.320, SMC 6.02.290, SMC 6.202.240, SMC 6.202.270, Chap. 6.500 SMC, SMC 6.10.120, SMC 6.10.130, 6.208.020, 6.214.320, 6.295.160, 6.295.180)
Animal Control:
 Animal License Denials (SMC 9.25.120)
 Determinations of Viciousness/Order of Humane Disposal (SMC 9.25.036)
Adult Entertainment (SMC 6.270)
For-Hire Vehicles & Drivers (SMC 6.310.635, 6.310.735)
Gas Piping (SMC 6.430.210)
Panorama and Peepshows (SMC 6.42.080)
Refrigeration Systems (SMC 6.410.210)
Steam Engineers and Boiler Fireman (SMC 6.420.210)
Unit Pricing (SMC 7.12.090)
Marijuana Business License Citations (SMC 6.500.147, 6.500.150, 6.500.170)
Short-Term Rentals 6.600.120)

CABLE COMMUNICATIONS – [Administered by the Office of Cable Communications]
Franchise Termination (SMC 21.60.120)

MISCELLANEOUS JURISDICTIONS

Civil Service Appeals (SMC 4.04.250) [Delegation from Civil Service Commission]
Commuter Benefit (SMC 14.30.150)
Energy Benchmarking Appeals (SMC 22.920.155) [Admin. by Office of Sustainability and Environment]
Ethics Code Violations (SMC 3.70.100) [Delegation from Ethics & Elections Commission]
Improvement District Assessment Appeals as provided by Ordinance
LID Assessment Rolls (SMC 20.04.090) [Admin. by SDOT]
Rental Agreement (7.24.130) [admin. By DCI]
Restricted Parking Zone Appeal (SMC 11.16.317) [Admin. by SDOT]
Review of Floating Home Moorage Fees (SMC 7.20.080, SMC 7.20.090, SMC 7.20.110)
Property Tax Exemption Elimination (SMC 5.72.110, SMC 5.73.100) [Admin. by Office of Housing]
SDOT Citation Appeals (SMC 15.91.006) [Admin. by SDOT]
Street Use Appeals (SMC 15.90) [Admin. by SDOT]
Third Party Utility Billing Complaints (SMC 7.25.050)
Whistleblower Retaliation Complaints (SMC 4.20.865) [Filed by the Ethics and Elections Commission]
Compensation and Working Conditions Generally (SMC 4.20.225, 4.20.860, 4.20.870)
Documentation of Eligibility for certain uses of Sick Leave and Funeral Leave (SMC 4.30.865)
Floating Home Moorages (SMC 7.20.080, 7.20.090, 7.20.100, 7.20.110)
Refund Anticipation Loan Regulation (SMC 7.26.070)

Please note that the list is provided only for the public's convenience and may not reflect recent ordinances adopted by the City Council. The Seattle Municipal Code and those ordinances are the ultimate authorities on the extent of the Examiner's jurisdiction.