

ORDINANCE NO. 13

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, ADOPTING CHAPTER 8.60, CONSUMER PROTECTION FOR PURCHASERS OF REAL PROPERTY, OF THE KING COUNTY CODE BY REFERENCE AS AN INTERIM REGULATION OF THE CITY.

WHEREAS, The City of Shoreline will incorporate on August 31, 1995; and

WHEREAS, the City Council has conducted public hearings on June 19 and June 26 at which testimony from members of the public was heard regarding the proposed land use comprehensive plan, subdivision, zoning, and other development regulations; and

WHEREAS, the City of Shoreline needs to have an enforceable consumer protection code for purchasers of real property in effect on the date of incorporation; and,

WHEREAS, the City intends to embark on a comprehensive planning process which will include revisiting adopted interim codes after the date of incorporation when additional planning staff are available to the City; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Authority to Adopt. Pursuant to RCW 35A.70, the City adopts Chapter 8.60 (Exhibit A, hereto) as the Interim Consumer Protection for Purchasers of Real Property.

Section 2. Adoption of Administrative Rules. Hereby further adopted by reference are any and all implementing administrative rules now in effect regarding consumer protection for purchasers of real property that have been adopted pursuant to King County Code Chapter 2.98, Rules of County Agencies, and King County Code Title 23, Enforcement, except that, unless the context requires otherwise, any reference to the "County" or to "King County" shall refer to the City of Shoreline, and any reference to County staff shall refer to the City Manager or his/her designee.

Section 3. Adoption of Certain Other Laws. To the extent that any provision of the King County Code, or any other law, rule or regulation, referenced in the attached "Interim Consumer Protection for Purchasers of Real Property Code," is necessary or convenient to establish the validity, enforceability or interpretation of the attached "Interim Consumer Protection for Purchasers of Real Property Code," then such provision of the King County Code, or other law, rule or regulation, is hereby adopted by reference.

Section 4. Reference to Hearing - Bodies. To the extent that the attached "Interim Consumer Protection for Purchasers of Real Property Code" refers to planning commissions, board of appeals, hearing examiner, or any other similar body, the City Council shall serve in all such roles, but retains the right to establish any one or more of such bodies, at any time and without regard to whether any quasi-judicial or other matter is then pending.

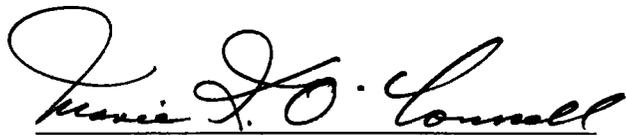
Section 5. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 6. Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication or the date of incorporation as the law may require.

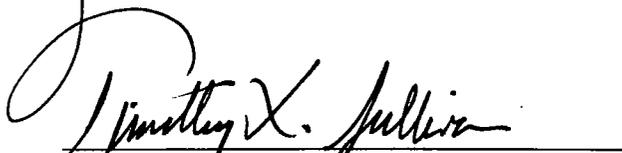
PASSED BY THE CITY COUNCIL ON JUNE 26,1995


Mayor Connie King

ATTEST:


Marie K. O'Connell, Interim City Clerk

APPROVED AS TO FORM:


Timothy X. Sullivan, Interim City Attorney

Date of Publication: 6/28/95
Effective Date: 7/3/95

**Exhibit A of
Ordinance No. 13
Chapter 8.60
King County Code**

**Chapter 8.60
CONSUMER PROTECTION FOR
PURCHASERS OF REAL PROPERTY¹**

Sections:

- 8.60.010 Vendor - Disclosure form required.
- 8.60.020 Vendor - Disclosure form - Contents.
- 8.60.030 Vendor - Disclosure and alternative waiver forms - Filing.
- 8.60.040 Enforcement.

8.60.010 Vendor - Disclosure form required. Before the prospective purchaser of any parcel of real property to be used for residential or business purposes, except that property being transferred by court order, and not served by an approved public or an approved private sewer system has entered into a binding agreement to purchase, the prospective vendor shall disclose in a writing, in the form (called the disclosure form) prescribed in this chapter whether, prior to execution of the disclosure form, the parcel

"....."
(date)
(Ord. 1490 § 2, 1973).

8.60.030 Vendor - Disclosure and alternative waiver forms - Filing. Three copies of each disclosure or alternative waiver form must be prepared. One copy shall be retained by the prospective vendor; one copy shall be retained by the prospective purchaser. If the prospective purchaser enters into a binding agreement to purchase, the vendor shall file the third copy with the King County Department of Records and Elections when other documents are recorded. (Ord. 1490 § 3, 1973).

8.60.040 Enforcement. The director of the King County Department of Public Health is authorized to enforce the provisions of this chapter, ordinances and resolutions codified in it, and any rules and regulations promulgated thereunder pursuant to the enforcement and penalty provisions of Title 23. (Ord. 2910 § 2 (part), 1976; Ord. 1490 (part), 1973).

**Chapter 8.64
DISPOSITION OF REMAINS OF INDIGENT PERSONS**

Sections:

- 8.64.010 Definitions.
- 8.64.020 Policies.
- 8.64.030 Procedures.
- 8.64.040 Right of appeal.

8.64.010 Definitions. The following definitions shall apply in the interpretation and enforcement of this chapter:

A. "Burial" means interment in a burial plot or an outer burial container, if required by the cemetery authority, and the recording of related documents, including the location of the remains.

B. "Cemetery Authority" means the owner or operator of a licensed cemetery.

C. "Cremation" means cremation and disposition of cremated remains, and recording of related documents including the location of the remains.

D. "Crematory Authority" means the owner or operator of a licensed crematory.

E. "Disposition of Remains" means either burial or cremation.

F. "Estate" means all real and personal property of the decedent, including cash, certificates of ownership or other tangible assets.

G. "Funeral Director" means the owner or operator of a licensed funeral home.

H. "Indigent" means a person who dies without leaving means sufficient to defray the expense of disposition of the body.

I. "Legally Responsible Representative" means the decedent's spouse, adult surviving children, surviving parents, surviving siblings or a person acting as representative of the decedent under the signed authorization of the decedent, pursuant to RCW 68.50.160.

J. "Manager" means the designee of the manager of the regional division, Seattle-King County department of public health.

has been subjected to a percolation test which meets the standards imposed by Chapter 13.08 (or any subsequent ordinance altering these standards) and rules issued pursuant thereto; provided, that, in the alternative, the prospective purchaser in writing on the disclosure form may waive vendor's disclosure either unconditionally or upon the condition that the sale will not be closed unless the parcel is subjected to a percolation test which meets the above requirements.

If the parcel has been tested, the disclosure form shall disclose the date and the conclusions of the percolation test, and the prospective vendor must sign the form and represent that his statements are true. The disclosure form must be signed by the prospective purchaser and the date of his signature must be written on the form. If the prospective vendor had a test performed upon the parcel, a copy of the report of the licensed engineer or certificated system designer who performed that test must be attached to the disclosure form. If the prospective vendor has not had a percolation test performed upon the parcel, the vendor must sign a statement representing that fact and a statement either representing that he has no knowledge concerning the possibility of installing a septic tank system on the parcel or indicating what knowledge he has. (Ord. 1490 § 1, 1973).

8.60.020 Vendor - Disclosure form - Contents. Vendor's disclosure shall be substantially in the following form. The forms shall be printed and designed in a manner that facilitates comprehension and ease of reading by the prospective purchaser.

"(DISCLOSURE FORM)

"King County Ordinance No. requires the following disclosure or alternative waiver form be completed prior to entry into a binding agreement to purchase.

"NOTICE TO PURCHASER

"If there is no reasonable access to a public sanitary sewer system from the parcel you are thinking of buying, you must install a private sewer system approved by the King County Department of Health in order to build a house or any structure which will be used for human habitation. No building permits are issued for parcels which cannot have access to approved public or approved private sewer systems. No permit will be issued for and no septic tank systems may be located on this parcel unless it has been subjected to a percolation test within one year prior to application for a building permit. Even if a timely percolation test has been made, no permit will be issued and no septic tank system may be located on this parcel if the Department of Health has not approved the plan for and approved the installation of the private sewer system. Before you enter into an agreement to purchase this parcel, you should contact the King County Department of Health to determine the procedures for installing a private sewer system.

"Your seller may have had a percolation test made on the parcel by a registered civil or sanitary engineer or certificated sewage disposal system designer. If so, that fact and the conclusions of the test appear below.

"SELLER'S REPRESENTATIONS

"I. PERCOLATION TEST

Seller must complete either statement A or statement B as appropriate.

"A. My agent, a registered
(name of agent)

civil or sanitary engineer or certificated sewage disposal system designer, has conducted percolation tests on this parcel:

.....(legal description)

The percolation test was conducted on (date)

From the tests, my agent concluded that a septic tank system be installed (could or could not)

on this parcel in conformance with standards set by King County and in effect at the date of the test.

I represent that the statements above are true.

(seller's signature)

(date)

"B. No percolation tests have been conducted on this parcel:

(legal description)

.....I have no knowledge material to a determination whether a septic tank system may be installed on this parcel, except as follows:

(to be completed by seller)

I represent that the statements above are true.

(seller's signature)

(date)

"BUYER'S SIGNATURE

"I have read this statement and understand its contents.

(Prospective purchaser's signature)

(date)

"WAIVER (IN THE ALTERNATIVE)

"I have read this disclosure form and understand its contents. I waive vendor's disclosure [] unconditionally. (Or) [] upon the condition this sale will not be closed unless this parcel is subjected to a percolation test which meets the requirements of the King County Department of Health.

(Prospective Purchaser's signature)