

Chapter 2.99
FEES CHARGED BY COUNTY AGENCIES

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2.99.010 Chapter Intent. It is the intent of the King County Council to establish county policies and procedures governing the authority of county agencies to set, charge, and collect fees. (Ord. 6835 § 1, 1984).

2.99.020 Definitions. For the purpose of this chapter:

A. "Fee" means a charge or amount assessed by a county agency to an individual or organization as a condition of receiving service from the agency, or as a condition of a regulatory process. The term "fee" does not include charges assessed by concessionaires or other independent organizations providing services at or on county facilities; nor performance or surety bonds; nor does it include charges or assessments collected by county agencies pursuant to a contract.

B. "Regulatory Fee" means any fee charged by a county agency in the course of carrying out and enforcing statutes, ordinances, or regulations. This includes business and occupation license fees; animal license and control fees; building and land use permit fees; and any other fee for permits/licenses issued as a requirement of law.

C. "Fee-for-Service" means any fee charged by a county agency to an individual or an organization as a condition of the individual or organization receiving a service from the county. Such services include, but are not limited to, swimming and other recreational programs/activities; recording and copying of legal or other documents; criminal history checks; probation services; check disbursements; treasury services; and public defense representation.

D. "Enterprise Fund Fee" means any fee charged and collected by or on behalf of the county's enterprise funds. (Ord. 6835 § 2, 1984).

2.99.030 Policies. The following policies shall govern the establishment of fees and the amount of fees:

A. Any fee for which the amount or rate is established by state statute is exempt from this chapter.

B. King County may establish any fee, consistent with policies of this chapter, unless specifically prohibited by state statute.

C. Any fees established by the prosecuting attorney, superior court or district court at their discretion under authority granted by state statute are exempt from this chapter.

D. Any fees established by the county board of health under state statute are exempt from this chapter.

E. Any fees set by the department of natural resources and parks are exempt from this chapter.

F. Any fees set by the department of executive services for the 5th Avenue and Jefferson Street county parking lot are exempt from this chapter through June 30, 2005.

G. The following fees and the amount of fees must be established by ordinance, unless specific administrative fee-setting authority is granted by ordinance to a county agency or official:

1. Regulatory fees; and
2. Enterprise fund fees.

H. For all other fees-for-service not specified in subsections A. through G. of this section, the following policies and procedures apply:

1. The executive may establish changes in the existing amounts or rates of fees-for-service and may establish new fees-for-service by submitting the proposed schedule of fee changes to the county council at the time the executive proposed annual budget is submitted. The proposed schedule of fee changes shall also be filed with the clerk of the council.

2. The proposed schedule of fee changes shall include the following information for each proposed fee change:

a. fee title and description. The description should indicate whether the proposal is a change in the amount of an existing fee or a proposed new fee.

b. proposed amount or rate. If the proposal is a change to an existing fee, both the existing amount or rate and the proposed amount or rate should be indicated.

c. effective date of the change. The date should be the first day of the next calendar year.

d. legal authority. The information should cite this chapter or a more specific ordinance or statute, if any, granting fee-setting authority.

e. reason for change. The information should indicate the reason for the change and the methodology used to determine the proposed amount or rate.

3. Following receipt of the executive proposed schedule of fee changes, the county council may enact an ordinance adopting or modifying the proposed schedule. If council action is not taken on the proposed schedule within seventy-five days of receipt, the proposed fee changes shall become effective as submitted by the executive on the first day of the calendar year following executive submittal.

4. Any changes in fees-for-service amounts or any new fees-for-service proposed by the executive at times other than that specified in this section must be submitted to the county council in the form of a proposed ordinance, and the changes shall not be effective unless enacted by ordinance.

5. The fee-for-service amounts proposed by the executive under this section shall reflect all reasonable costs of providing the service. (Ord. 14713 § 5, 2003: Ord. 14509 § 26, 2002: Ord. 6835 § 3, 1984).

2.99.040 Null and Void Fees. All fees not established according to the policies and procedures outlined in K.C.C. 2.99.030 shall become null and void after December 31, 1984. (Ord. 6835 § 4, 1984).

2.99.050 Severability. Should any section, subsection, paragraph, sentence, clause, or phrase of this chapter be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this chapter. (Ord. 6835 § 6, 1984).