

10-5-79

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 2769

AN ORDINANCE regarding the payment of the cost for preparation of verbatim written transcripts, and adding a new section 2.26.100 to the Bellevue City Code.

WHEREAS, the Court of Appeals of the State of Washington has ruled that when quasi-judicial decisions of a City are appealed to Superior Court the City is required to transcribe and provide the reviewing court with a verbatim written transcript of such proceedings; and

WHEREAS, the Court of Appeals has further ruled that the cost of transcription of such verbatim written transcript is to be borne by the appealing party; and

WHEREAS, it is the desire of the City to provide a procedure for the preparation of such verbatim written transcript and the payment of the cost thereof by the appealing party; now, therefore

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

Section 1. A new section is hereby added to Chapter 2.26 of the Bellevue City Code, to be designated Section 2.26.100 thereof and to provide as follows:

2.26.100 Payment of Cost of Transcription of Verbatim Written Transcript

Whenever the City is required to prepare a verbatim written transcript of any proceedings of the City in response to a writ of review or other action filed in the Superior Court or any other state or federal court the cost of preparing the same shall be borne by the party filing the action. Within ten days of the service of such writ of review or other action on the City, the City Clerk shall notify the party filing the action that it will be necessary for the City to prepare a verbatim written transcript of the proceedings involved. In such notice the City Clerk shall state the date and subject matter of the public meeting(s) and/or hearing(s) involved and the estimated cost of the preparation of the transcript, including copying costs. Within ten days of the receipt of such notification the party filing such action shall pay said estimated cost to the City Clerk and the City Clerk shall thereafter make provision for the preparation of the transcript.

Should the actual cost incurred by the City in preparation of the transcript exceed the amount deposited with the City Clerk, the party making such deposit shall be required to reimburse the City for such additional amount within ten days of notification that such amount is

10-5-79

due. Should the actual cost incurred by the City be less than the estimated cost deposited, such credit due shall be reimbursed by the City to the party making the deposit.


If transcripts have previously been prepared by the City Clerk as provided for under Resolution No. 2833 with regard to appeals to the City Council, then there shall be no additional charge to the party filing the action, except for copying costs, and such previously prepared transcripts shall be filed with the court by the City at no additional expense to the party appealing, except for copying costs.

Any party filing an action may request waiver of the payment of cost of transcription in accordance with the requirements set forth in Section 4 of Resolution No. 2833.

Section 2. This ordinance shall take effect and be in force five days after its passage and legal publication.


PASSED by the City Council this 22 day of October, 1979, and signed in authentication of its passage this 22 day of October, 1979.

(SEAL)



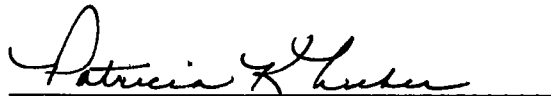
Gary A. Zimmerman, Mayor

Approved as to form:



Lee Kraft, City Attorney

Attest:



Patricia K. Weber, City Clerk

Published October 27, 1979