

5/20/80

COUNTY COUNCIL
Snohomish County, Washington



ORDINANCE NO. 80-12
PROVIDING FOR PROCEDURES OF THE
COUNTY COUNCIL and REPEALING CHAPTER 2.48,
SNOHOMISH COUNTY CODE

BE IT ORDAINED:

Section 1. Chapter 2.48 of the Snohomish County Code, enacted August 15, 1979, is hereby repealed.

Section 2. The following is enacted and added to the Snohomish County Code:

Chapter 2.48
COUNCIL MEETINGS

Sections:

- 2.48.010 Places for meetings
- 2.48.020 Regular meetings.
- 2.48.030 Special meetings.
- 2.48.040 Recesses.
- 2.48.050 Adjournments.
- 2.48.060 Continuances.
- 2.48.070 Meetings open to public.
- 2.48.080 Chairperson
- 2.48.090 Administrator, Clerk, Staff.
- 2.48.100 Quorum-vote.
- 2.48.110 Agenda
- 2.48.120 Ordinance procedures.
- 2.48.130 Publication of ordinances.
- 2.48.140 Form of Ordinances.
- 2.48.150 Emergency Ordinances.
- 2.48.160 Resolutions.
- 2.48.170 Council committees.
- 2.48.180 Appointments.
- 2.48.190 Initiative, mini-initiative, and referendum.
- 2.48.200 Severability

2.48.010 Places for meetings. All meetings of the county council shall be held in the County Administration Building, Pacific and Rockefeller, Everett, Washington; PROVIDED, That such meetings may be held elsewhere upon designation of a specific council meeting place by the chairperson of the county council, and notification thereof being given at least twenty-four hours in advance to each council member, to each local newspaper of general circulation and to each local radio and television station which has on file with the county a written request to be notified of such matters. If by reason of fire, flood, earthquake or other emergency, it is unsafe to meet at the place designated, the meeting may be held at the place designated by the chairperson. No notice as required by this chapter need be given during such emergency.

2.48.020 Regular meetings. Regular meetings of the council shall be held on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays, beginning at 9:00 a.m. and adjourning at such time as a majority of the council shall determine. If any regular meeting falls on a holiday, such regular meeting shall be held on the next business day.

2.48.030 Special meetings. A special meeting may be called at any time by the chairperson of the council or by a majority of the council by delivering written notice personally or by mail to each member of the council and to each local newspaper of general circulation and to each local radio or television station which has on file with the council a written request to be notified of such special meeting or of all special meetings. The call and notice shall specify the time and place of the special meeting and the business to be

transacted. Final disposition shall not be taken on any matter other than as stated in the call and notice at such meeting. Written notice may be dispensed with as to any member who prior to the time of meeting files with the secretary of the council written waiver of notice, or as to any member actually present at the meeting at the time it convenes. The council may dispense with notice of special meeting called to deal with an emergency involving injury to persons or property or the likelihood of such injury or damage when time requirements of such notice would make notice impractical and increase the likelihood of such injury or damage.

2.48.040 Recesses. Any meeting shall lie at recess from 12:00 p.m. to 1:00 p.m. unless a majority of the council decides otherwise. Any meeting may be recessed at any time for a period of not more than fifteen minutes by the chairperson of the council.

2.48.050 Adjournments. The council may adjourn any meeting to a time and place stated in the order of adjournment. Less than a quorum may so adjourn from time to time. If all members are absent from a regular or adjourned regular meeting, the clerk of the council may declare the meeting adjourned to a stated time and place; and the clerk shall cause written notice of such an adjournment to be given as provided in section 2.48.030 unless such notice is waived as provided in such section. The clerk shall cause written notice of any adjournment to be conspicuously posted immediately after the time of adjournment on or near the door of the place where the meeting adjourned was held. If any adjournment is to a day later than the next business day or to a day other than a regular meeting day, notice

shall be given as provided in Section 2.48.030. Any adjourned meeting of a regular or adjourned regular meeting is a regular meeting for all purposes. If an order of adjournment fails to state the time at which the adjourned meeting is to be held, it shall be held at the hour specified for the next regular meeting.

2.48.060 Continuances. Any hearing being held, noticed or ordered to be held by the council may be continued or recontinued to a subsequent meeting in the same manner and to the same extent as provided in Section 2.48.050.

2.48.070 Meetings open to the public. All meetings of the council shall be open to the public, and all persons shall be permitted to attend such meetings, except that this section shall not apply to executive sessions as authorized by the laws of the state of Washington. The council shall not adopt any ordinance, resolution, rule, regulation, order or directive except at meetings open to the public and held according to the provisions of this chapter.

2.48.080 Chairperson. The chairperson shall preside over all council meetings, manage the general affairs of the council, provide supervision over council employees, answer inquiries and correspondence not requiring consideration by the entire council, and be the formal representative of the council, all subject to such direction and control as the council may provide. The chairperson shall sign all documents requiring the signature of the council, and his signature shall be as legal and binding as if all members had affixed their names. The chairperson shall appoint members of all

committees of the council, subject to the approval of the council. On the first regular meeting day of each year, the council shall elect the chairperson and vice-chairperson, who shall serve as chairperson in the absence of the chairperson. The regular terms of the chairperson and vice-chairperson shall be for one calendar year. The council shall fill any vacancy occurring in either position at any time. In the absence of both the chairperson and the vice-chairperson, a temporary chairperson shall be elected by the council to serve as chairperson during such absence.

2.48.090 Administrator, clerk, staff.

(1) The council shall designate and appoint such persons as it deems appropriate to be the council administrator, clerk of the council, assistant clerk or clerks, and such additional employees as are necessary to assist the council in the performance of its functions as provided in the charter and ordinances passed by the council. Until such time as a person is designated as clerk of the council, functions of the clerk shall be performed by the county auditor or his authorized deputies.

(2) The council administrator shall coordinate work and the providing of information among council members coordinate action and the providing of information between the county executive and the council, work with the chairperson of the council on agendas and calendars settings of council meetings and hearings, supervise the council

clerk and staff and to perform such other duties as are delegated to him by the council through the chairperson.

The council administrator shall serve at the pleasure of a majority of the council, and to that extent his position shall be exempt from the county personnel system.

(3) The clerk of the council shall be its clerk, attend all meetings and hearings of the council, cause minutes of meetings and hearings of the council to be kept, coordinate meetings and hearings of the council or its members with other county officials, supervise routine management of council affairs subject to the supervision of the council administrator, and perform such other duties as are delegated to him by administrator.

(4) The assistant clerk shall carry out the duties of the clerk of the council in his absence, and perform such duties as are delegated to him by the clerk of the council.

(5) If any person or organization not acting in behalf of the county shall request a copy of the tape or part thereof of any proceedings of the council, such copy shall be prepared and supplied by the clerk at the requestor's expense. The clerk shall be under no obligation to provide to any person not acting on behalf of the county a transcript of any tape or part thereof of any proceedings of the council; and all responsibilities and costs with respect to the preparation of such a transcript shall be borne by

such person. The clerk shall provide other records of the council requested by any person or organization upon the payment of such fees as the council administrator deems appropriate to reimburse the county for the costs of such records.

2.48.100 Quorum-Vote. A majority of the council shall constitute a quorum. Council action shall require at least a majority vote unless a higher vote is required by the county charter or ordinance.

2.48.110 Agenda. Business of the council may include, among other items, the following:

- a. Call to order
- b. Old business

1. Approval of minutes. Minutes need not be read if they have been circulated to all council members prior to the meeting.

2. Reports of county executive and committees.

3. Other.

- c. New business

1. Introduction and consideration of ordinances.

2. County Executive

3. Contracts/Agreements

4. Consideration of bids.
5. Business of various departments and commissions
6. Budget items.
7. Appointments.
8. Discussion items.
9. Other--Add ons.

Any item may be placed on the agenda at the request of a council member or the county executive. The chairperson and the county executive shall, to the extent practicable, meet and confer on items to be included in the agenda. The clerk shall prepare the agenda, which together with supporting documents shall be provided to all council members and the county executive not less than one day prior to each regular council meeting and at the earliest possible date prior to any special meeting. The agenda shall also be posted conspicuously within the county courthouse.

2.48.120 Ordinance Procedures. The council shall act by ordinance when exercising its legislative powers or when otherwise required by state law, the charter, or other ordinances.

(1) Introduction. An ordinance may be introduced by any council member, initiative, or mini-initiative. Any council member may introduce an ordinance on the request of the county executive. Ordinances shall be filed in writing with the clerk of the council at any time during regular business hours of the county. Upon receipt of

any proposed ordinance, the clerk shall deliver a copy of the same to each council member. If summary of the ordinance is intended to be published, such summary shall also be delivered to each councilmember.

At the first regular meeting of the council following delivery of any ordinances to all council members, the clerk shall assign the ordinance a number and introduce it by reading the first phrase or clause of the title of such ordinance, unless any member shall request that the entire title be read.

(2) Consideration and adoption.

(a) Hearing required. Immediately following introduction as provided in subparagraph (1) above of any ordinance upon which a public hearing is required to be held, the Clerk shall assign a time and date of hearing thereon unless the council shall elect to continue assignment or to hear the matter at a different time and date. At such time and date as the ordinance is set for hearing, the council shall proceed to hear the same. Any hearing or action thereon may be continued by the council as provided in Sections 2.48.050 and 2.48.060 above. The council shall also approve the summary of any ordinance which is intended to be published.

(b) Hearing not required. Immediately following introduction as provided in subparagraph (1) above of any ordinance, other than an emergency ordinance or one upon which a hearing is required, the Clerk shall assign a time and date for consideration of such ordinance by the council. The council may continue assignment, assign a later time and date, table such ordinance, or refer the ordinance to the county

executive, any committee, or any county officer or department for consideration, review, and report thereon. No ordinance shall be continued, except where incidental to a referral as provided above, nor tabled for a period longer than two weeks. Upon the time and date set for consideration of an ordinance, the council shall consider and take action thereon; Provided, that any consideration or action on an ordinance may be continued by the council as provided in Sections 2.48.050 and 2.48.060 above.

(3) Passage, veto. No ordinance other than an emergency ordinance shall be passed in less than thirteen days after its introduction. Following passage of any ordinance it shall be signed by the chairperson of the council, or the vice-chairperson in the absence of the chairperson. Every ordinance shall be presented to the county executive within five working days after adoption by the council. Presentation shall be by personal delivery to the county executive or his secretary. Within ten working days after presentation, the county executive shall either sign the ordinance and return it or veto the ordinance and return it to the council with his written objections. If an ordinance is not returned to the clerk of the council within ten working days after its presentation, it shall be deemed enacted without the county executive's signature. If the county executive vetos an ordinance, the council shall have thirty days from the date of veto to reconsider the ordinance. Any vetoed ordinance shall be reintroduced by the clerk or upon motion of a council member, and the ordinance shall be reconsidered at such time and date within thirty days of the date of veto as the council shall

decide. If upon reconsideration the ordinance receives at least four affirmative votes, it shall become law. Except as otherwise provided by the county charter, all ordinances shall take effect ten days after they are signed by the county executive or otherwise enacted, or at a later date as stated in the ordinance.

2.48.130 Publication of ordinances.

(1) Following the filing of any ordinance as provided in section 2.48.120(1) above, the clerk shall cause a notice, which shall include the time and place initially set for consideration or hearing and a copy of the ordinance or a summary thereof prepared by a person designated by the council and approved by the council, to be published for one issue in the county, which newspaper shall be the official county newspaper as provided in RCW 36.72.010 unless the council shall determine otherwise. Following final passage of any ordinance, the clerk shall cause a notice of enactment, which shall include a copy of the ordinance or summary as provided above, to be published for one issue in a newspaper of general circulation in the county.

(2) Publication by summary shall satisfy the requirements of RCW 65.16.160 and any amendments thereto. RCW 65.16.160 presently provides:

" (1) Whenever any county, city, or town is required by law to publish legal notices containing the full text of any proposed or adopted ordinance in a newspaper, the county, city, or town may

publish a summary of the ordinance which summary shall be approved by the governing body and which shall include:

"(a) The name of the county, city, or town;

"(b) The formal identification or citation number of the ordinance;

"(c) A descriptive title;

"(d) A section-by-section summary;

"(e) Any other information which the county, city, or town finds is necessary to provide a complete summary; and

"(f) A statement that the full text will be mailed upon request.

"(2) Subsection (1) of this section notwithstanding, whenever any publication is made under this section and the proposed or adopted ordinance contains provisions regarding taxation or contains legal descriptions of real property, then the sections containing this matter shall be published in full and shall not be summarized. When a legal description of real property is involved, the notice shall also include the street address or addresses of the property described, if any. In the case of descriptions covering more than one street address, the street addresses of the four corners of the area described shall meet this requirement.

"(3) The full text of any ordinance which is summarized by publication under this section shall be mailed without charge to any person who requests the text from the adopting county, city, or town."

Any ordinance other than those sections amending a prior ordinance may be amended upon consideration by the council following its initial publication if the final publication shall be in form as passed by the council.

2.48.140 Form of Ordinances. Ordinances shall be numbered so as to include the year of passage and shall be numbered in the order of introduction in any such year. No ordinance shall contain more than one subject which shall clearly be expressed in the title. The name of the council member or members introducing the ordinance shall be endorsed on the upper right hand corner of the first page thereof. No previously approved ordinance shall be amended unless the new ordinance sets forth each amended section or subsection at full length. Ordinances may, by reference, adopt Washington State statutes, or any recognized printed codes or compilations in whole or in part.

2.48.150 Emergency Ordinances. Any proposed ordinance may be enacted as an emergency ordinance if the council finds as a fact, and states in the ordinance, that an emergency exists and that the ordinance is necessary for the immediate preservation of public peace, health and safety or for the support of county government or its existing institutions. A minimum of four affirmative votes shall be

required to enact an emergency ordinance. Emergency ordinances, except those containing an appropriation, shall not be subject to veto by the county executive and the veto procedures contained in Sections 2.48.120(3). Emergency ordinances shall be effective upon approval by the county executive; Provided, That if the county executive shall not sign and return an emergency ordinance to the clerk of the council within ten days after its presentation to the county executive, it shall be deemed enacted.

2.48.160 Resolutions. The council may exercise its non-legislative, administrative, or quasi-judicial powers by resolution, except where required by the charter or ordinance to exercise its powers by the enactment of an ordinance. The council may pass resolutions to confirm or reject appointments, to make declaration of policy which do not have the force of law, and to request information from other departments of county government. Resolutions shall not be subject to veto by the county executive, and the council, in considering and passing resolutions, need not comply with the procedural requirements for the introduction, consideration, passage and publication of ordinances.

2.48.170 Council committees.

(a) The chairperson of the council, with the approval of the council, may appoint council committees of three or four members for such purposes as the chairperson may deem appropriate, Provided, That any action by such a committee shall be recommednatory only and no committee shall be appointed to hear, consider or recommend on any

matter requiring hearing by the council. The committee membership shall be responsible for election of its chairperson and for its internal organization and proceedings. Meetings of committees shall be subject to the requirements of Sections 2.48.030 through 2.48.070, to the extent applicable.

(b) The time and date of council committee meetings shall be determined by the chairperson of the committee and notice thereof shall be given as provided in 2.48.030.

(c) Any recommendation of a council committee shall be adopted at a regularly held meeting by a majority of the committee, reduced to writing, and signed by a majority of the committee. Any recommendation may be accompanied by a report. A majority recommendation of the committee on any action may be "do pass", "do pass as amended", "do pass the attached substitute ordinance", "do not pass", "no recommendation", "postpone indefinitely", or "withdraw". Minority recommendations or reports may be submitted by any member of the committee.

2.48.190 Initiative, mini-initiative, and referendum.

Procedural requirements with respect to initiative, mini-initiative, or referendum as contained in the charter and any ordinances relating thereto shall control over any inconsistent provisions of this chapter.

2.48.200 Severability. If any provisions of this chapter or its application to any persons or circumstances is held invalid, the

remainder of this chapter and the application of its provisions to other persons or circumstances shall not be affected.

PASSED this 2nd day of June, 1980.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Donald J. Buttor
Chairperson

ATTEST:

Cathy Sney
Clerk of Council

APPROVED AS TO FORM:

Deputy Prosecuting Attorney

() APPROVED () VETOED
() EMERGENCY DATE: 6-5-80

Willis D. Tucker
County Executive

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