

SNOHOMISH COUNTY COUNCIL  
SNOHOMISH COUNTY, WASHINGTON



AMENDED  
ORDINANCE NO. 92-007  
AMENDING SNOHOMISH COUNTY CODE CHAPTER 2.50  
RELATING TO THE CODE OF ETHICS

BE IT ORDAINED:

SECTION 1. That Snohomish County Code Section 2.50.010, adopted by Ordinance No. 91-084 on July 1, 1991, is amended to read as follows:

2.50.010 Definitions. For the purpose of this chapter:

(1) "Action" means any decision, determination, finding, ruling or order; and any grant, payment, award, license, contract, transaction, sanction, or approval, or the denial thereof, or failure to act with respect thereto;

(2) "Appearance of Fairness" means that Doctrine applied by Washington State Courts and RCW 42.36 to quasi-judicial actions;

(3) "Appointed official" means the chief deputy (~~or assistant~~) of any elected official, the chief officer or director of any office or department who is appointed by the executive or county council, any quasi-judicial officer and the members of (~~any board or commission appointed by the executive or county council~~) the planning commission, the airport commission, the board of equalization, the boundary review board, and the ethics commission;

(4) "Contribution" means a loan, loan guarantee, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, transfer of funds between political committees, or transfer of anything of value, including personal and professional services, for less than full consideration;

(5) "County employee" means any person, other than an elected or appointed official and Judge or employee of superior and district courts, who is employed by the county or any elected or appointed official in their official capacity;

(6) "Elected official" means any person elected at a general or special election to any public office, and any person appointed to fill a vacancy in any such office, except judges of the superior or district courts;

(7) "Ethics" means principles of conduct governing an individual or a profession; standards of behavior;

(8) "Ex-parte communication" means any communication, written or oral and relating to a quasi-judicial action between an elected or appointed official and only one party to said action without the presence of other parties to the action;

(9) "Immediate family" means the spouse, children, parents and siblings of an elected or appointed county official or county employee and shall include the children, parents and siblings of the spouse of any official or employee;

(10) "Individual" means a single natural person as distinguished from a partnership or corporation;

(11) "Lobby" and "lobbying" each mean attempting to influence the passage or defeat of any legislation by the Snohomish county council, or the adoption or rejection of any rule, standard, rate, or other enactment of any county agency;

(12) "Lobbyist" means any person who receives compensation of more than \$600 in a calendar year for lobbying, including attempting to influence county legislation or other county legislative or administrative action by county employees having power to make discretionary determinations on behalf of the county or employees whose duties include providing recommendations or advice concerning county legislative or official action;

(13) "Lobbyist's employer" means the person or persons by whom a lobbyist is employed and all persons by whom he is compensated for acting as a lobbyist;

(14) "Major violation" means any violation of this chapter which, in the judgment of the commission, is more likely than not to have a measurable impact on the outcome of an election or action;

(15) "Organized group" means any political committee (other than groups created for the purpose of a single specific candidate for his/her own campaign), political party, or any special interest group;

(16) "Person" means an individual, partnership, joint venture, public or private corporation, association, federal, state, or local governmental entity or agency however constituted, candidate, committee, political committee, political party, executive committee thereof, or any other organization or group of persons, however organized;

(17) "Quasi-judicial actions" are those actions of the legislative body, planning commission, hearing examiner, zoning adjuster, board of adjustment, or other appointed or elected board which determine the legal rights, duties, or privileges of specific parties in a hearing or other contested case proceeding. Quasi-judicial actions do not include legislative actions adopting, amending, or revising comprehensive, community, or neighborhood plans or other land use planning documents or the adoption of area-wide zoning ordinances or the adoption of a zoning amendment that is of area-wide significance.

SECTION 2. That Snohomish County Code 2.50.030 adopted by Ordinance No. 91-084 on July 1, 1991, is amended to read as follows:

2.50.030 Disclosure.

(1) After the call to order at any quasi-judicial proceeding, the adjudicating official(s) shall disclose for the record the existence and substance of any ex-parte communications in which adjudicating official(s) may have engaged.

(2) At any quasi-judicial proceeding, adjudicating officials shall fully disclose, by stating same for the record, campaign contribution(s) in excess of \$250 from any person who is a party to the proceedings and contributions in excess of \$700 from any organized

group which is a party to the proceedings, received from one year prior to the date of the official's last election or appointment up to the date of the proceeding.

(3) Any person appearing at a quasi-judicial proceeding shall disclose his/her membership in any organized group if he/she knows the organized group has made a campaign contribution in excess of \$700 to any official on the adjudicating body from one year prior to the date of the official's last election or appointment up to the date of the proceeding. Any person who, from one year prior to the date of the official's last election or appointment up to the date of the proceeding, has made campaign contribution(s) exceeding \$250 to an official on the adjudicating body at a quasi-judicial proceeding must disclose that fact for the record.

(4) No elected or appointed official shall knowingly engage in any action which will directly or indirectly affect Snohomish County, and which is not ministerial, (~~(( including communications, discussion, persuasion or participation))~~) by participating in public decisions or determinations with respect to county matters, without fully disclosing the following:

(a) That gratuities, gifts, special favors or personal expenses of the official in excess of \$100 in any calendar year have been made to the official by any person or entity which is a party to the action;

(b) That the official or any member of the official's immediate family has any interest in the action, whether direct or indirect, personal or financial.

SECTION 3. That Snohomish County Code 2.50.070, adopted by Ordinance No. 91-084 on July 1, 1991, is amended to read as follows:

2.50.070 Lobbyist (~~(reporting)~~) registration.

(1) Before doing any lobbying, or within thirty days after being employed as a lobbyist, whichever occurs first, a lobbyist shall register by filing with the county auditor a lobbyist registration statement, in such detail as the auditor shall prescribe, showing:

(a) His name, permanent business address, and any temporary residential and business addresses;

(b) His compensation for lobbying; how much he is to be paid for expenses, and what expenses are to be reimbursed;

(c) Whether the person from whom he receives said compensation employs him solely as a lobbyist or whether he is a regular employee performing services for his employer which include but are not limited to the influencing of legislation;

(d) A description of the general subject or subjects of interest on which lobbying is intended;

(e) A written confirmation of employment as a lobbyist from each of the lobbyist's employers;

(f) The name and address of the person who will have custody of the accounts, bills, receipts, books, papers, and documents required to be kept;

(g) If the lobbyist's employer is an entity (including, but not limited to, business and trade associations) whose members include, or which as a representative entity undertakes lobbying activities for, businesses, groups, associations, or organizations, the name and address of each member of such entity or person represented by such entity whose fees, dues, payments or other consideration paid to such entity during either of the prior two years have exceeded \$500 or who is obligated to or has agreed to pay fees, dues, payments, or other consideration exceeding \$500 to such entity during the current year.

(2) Any lobbyist who receives or is to receive compensation from more than one person for his services as a lobbyist shall file a separate notice of representation with respect to each such person; except that a lobbyist whose fee for acting as such in respect to the same legislation or type of legislation is, or is to be, paid or contributed to by more than one person may file a single statement, in which he shall detail the name, business address and occupation of each person so paying or contributing, and the amount of the respective payments or contribution made by each such person.

(3) Whenever a change, modification, or termination of the lobbyist's employment occurs, the lobbyist shall, within one week of such change, modification or termination, furnish full information regarding the same by filing with the county auditor an amended registration statement.

(4) Each lobbyist who has registered shall file a new registration statement, revised as appropriate, on the ~~((first-day))~~ second monday of January of each ~~((even-numbered))~~ odd-numbered year, and failure to do so shall terminate his or her registration.

NEW SECTION. SECTION 4. A new section, 2.50.071, is added to Snohomish County Code chapter 2.50 as follows:

SCC 2.50.071 Reporting by lobbyist. (1) Any lobbyist registered under SCC 2.50.070 and any person who lobbies shall file with the county auditor semi-annual reports of their activities signed by the lobbyist. The reports shall be made in the form and manner prescribed by the county auditor. The reports shall cover the periods from January 1st through June 31st and July 1st through December 31st and shall be filed within fifteen days after the last day of the calendar month covered by the report.

(2) Each such periodic report shall contain:

(a) The totals of all expenditures for lobbying activities made or incurred by such lobbyist or on behalf of such lobbyist by the lobbyist's employer during the period covered by the report. Such totals for lobbying activities shall be segregated according to financial category, including compensation; food and refreshments; living accommodations; advertising; travel; contributions; and other expenses or services. Each individual expenditure of more than twenty-five dollars for entertainment shall be identified by date, place, amount, and the names of all persons in the group partaking in

or of such entertainment including any portion thereof attributable to the lobbyist's participation therein but without allocating any portion of such expenditure to individual participants.

Notwithstanding the foregoing, lobbyist are not required to report the following:

(i) Unreimbursed personal living and travel expenses not incurred directly for lobbying;

(ii) Any expense incurred for his or her own living accommodations;

(iii) Any expenses incurred for his or her own travel to and from hearings of the council;

(iv) Any expense incurred for telephone, and any office expenses, including rent and salaries and wages paid for staff and secretarial assistance.

(b) In the case of a lobbyist employed by more than one employer, the proportionate amount of such expenditures in each category incurred on behalf of each of their employers.

(c) An itemized listing of each such expenditure in the nature of a contribution of money or of tangible or intangible personal property to any candidate, elected official, or officer or employee of any agency, or any political committee supporting or opposing any ballot proposition, or for or on behalf of any candidate, elected official, or officer or employee of any agency, or any political committee supporting or opposing any ballot proposition. All contributions made to, or for the benefit of, any candidate, elected official, or officer or employee of any agency, or any political committee supporting or opposing any ballot proposition shall be identified by date, amount, and the name of the candidate, elected official, or officer, or employee of any agency, or any political committee supporting or opposing any ballot proposition receiving, or to be benefited by each such contribution.

(d) The subject matter or proposed legislation or other legislative activity or policy adoption and the county agency considering the same, which the lobbyist has been engaged in supporting or opposing during the reporting period.

(e) Such other information relevant to lobbying activities as the ethics commission shall by rule prescribe. Information supporting such activities as are required to be reported is subject to audit by the ethics commission.

NEW SECTION. SECTION 5. A new section, 2.50.072, is added to Snohomish County Code chapter 2.50 as follows:

2.50.072 Exemption from registration. The following persons and activities shall be exempt from registration and reporting under SCC 2.50.070 and 2.50.071:

(1) Persons who limit their lobbying activities to appearing before public sessions of the county council or committees of the council, or public hearings of county agencies;

(2) News or feature reporting activities and editorial comment by working members of the press, radio, or television and the

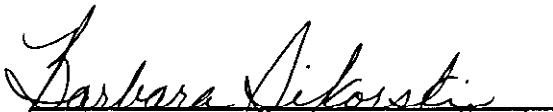
publication or dissemination thereof by a newspaper, book publisher, regularly published periodical, radio station, or television station;

- (3) The county executive, deputy county executive and other elected county office holders;
- (4) Members of the council;
- (5) Persons employed by the county who aid in the preparation or enactment of county codes or perform legislative duties; and
- (6) Other elected officials acting on behalf of the entity they represent.
- (7) Appointed officials or employees of other public entities testifying on behalf of the entity they represent.

PASSED this 19th day of February, 1992.

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

ATTEST:

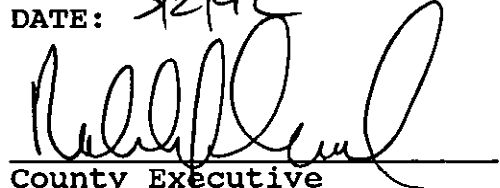
  
Clerk of the Council, Asst.

  
Chairperson

Approved as to form:

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Deputy Prosecuting Attorney

- ) APPROVED
- ) VETOED
- ) EMERGENCY

DATE: 3/2/92  
  
County Executive

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