

Title 2

ADMINISTRATION AND PERSONNEL

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Chapter 2.04

COUNCIL MEETINGS

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2.04.010 Meetings declared open.

All meetings of the City Council and its committees shall be open and public in accordance with state law; except as otherwise provided in Section 2.04.060. (Ord. 581 § 1(a), 1987)

2.04.020 Regular meetings.

The City Council shall hold regular meetings at a day and time determined by the council. Unless otherwise declared, all meetings of the council will be held at City Hall. If at any time any regular meeting falls on a holiday, the City Council shall have the option of setting a new meeting date and time or canceling the meeting. (Ord. 904 (part), 2006: Ord. 790, 2000: Ord. 783 § 1, 1999: Ord. 754, 1998: Ord. 751 § 1, 1998: Ord. 634, 1989)

2.04.030 Special meetings.

Special meetings may be called by the Mayor or a majority of the City Council as provided by state law. (Ord. 581 § 1(c), 1987)

2.04.040 Adjourments.

Any regular, adjourned regular, special or adjourned special meeting may be adjourned in the manner set forth in state law. (Ord. 581 § 1(d), 1987)

2.04.050 Continuances.

Any hearing being held or ordered to be held by the City Council may be continued in the manner set forth in state law. (Ord. 581 § 1(e), 1987)

2.04.060 Executive sessions.

The City Council may hold an executive session during a regular meeting or special meeting to consider certain matters in accordance with state law. (Ord. 581 § 1(f), 1987)

2.04.070 Parliamentary procedure.

Questions of parliamentary procedure shall be governed by the City Council Rules of Procedure document as it now exists or is hereafter amended. (Ord. 911, 2006; Ord. 581 § 2(a), 1987)

2.04.080 Order of business.

All items to be included on the agenda for Council consideration must be submitted to the City Clerk, including all support documents and action requested, by 12:00 p.m. five business days prior to each regularly held council meeting, excluding the day of the meeting. The City Clerk shall prepare a proposed agenda for approval by the Mayor, or in his/her absence, by the Mayor Pro-Tem, with final agenda to be distributed no later than 12:00 p.m. at least four days prior to each regularly held council meeting, excluding the day of the meeting. Agenda format shall be as prescribed from time to time by resolutions amending Council Rules of Procedure. (Ord. 1006, 2012; Ord. 904 (part), 2006; Ord. 581 § 2(b), 1987)

Chapter 2.08

APPOINTIVE OFFICES

Sections:

2.08.005 Offices.

2.08.010 Administrator / Clerk / Treasurer separated into the positions of Clerk and Administrator / Treasurer.

2.08.020 Appointment.

2.08.025 Compensation.

2.08.005 Offices.

In accordance with RCW 35A.12.020, the City shall provide two appointive offices, the office of Clerk and the office of the Administrator/Treasurer. (Ord. 1060, 2015; Ord. 978, 2011)

2.08.010 Administrator / Clerk / Treasurer separated into the positions of Clerk and Administrator / Treasurer.

Pursuant to Section 35A.12.020 of the Revised Code of Washington, the office of Administrator / Clerk / Treasurer is hereby separated into the positions of Clerk and Administrator / Treasurer. (Ord. 1060, 2015; Ord. 978, 2011; Ord. 129 § 1, 1957)

2.08.020 Appointment.

The offices of Clerk and Administrator / Treasurer shall be appointed by and shall hold office at the pleasure of the Mayor, upon confirmation of the City Council. (Ord. 1060, 2015; Ord. 978, 2011; Ord. 129 § 2, 1957)

2.08.025 Compensation.

The compensation of the City Clerk shall be \$34,000 [annually] and the compensation of the Administrator / Treasurer shall be \$55,000 [annually]. These compensations shall be modified from time to time through budgetary process or according to an adopted pay plan. (Ord. 2060, 2016; Ord. 978, 2011; Ord. 965, 2010)

Chapter 2.12

PLANNING COMMISSION

Sections:

- 2.12.010 Creation.**
- 2.12.020 Regular membership, terms.**
- 2.12.025 Member requirements.**
- 2.12.030 Vacancy on the commission.**
- 2.12.040 Alternate membership, terms.**
- 2.12.050 Alternates' duties.**
- 2.12.060 Chair and Vice Chair – Requirements.**
- 2.12.065 Commission organization--Meetings.**
- 2.12.070 Duties and powers of the commission.**
- 2.12.080 Duties and powers of the city council regarding planning.**
- 2.12.090 Authority.**

2.12.010 Creation.

There is created the North Bonneville Planning Commission hereinafter referred to as the Commission. (Ord. 960, 2010; Ord. 957, 2009; Ord. 898 (part), 2006; Ord. 608 § 1, 1988)

2.12.020 Regular membership, terms.

The Planning Commission shall consist of up to five (5) regular voting members and two (2) alternate members appointed by the City Council. Term of office for the five (5) regular members shall be four (4) years. Positions 1 and 2 base year ending December 31, 2007, positions 3 and 4 base year ending December 31, 2005, position 5 base year ending December 31, 2006. (Ord. 960, 2010; Ord. 957, 2009; Ord. 898 (part), 2006; Ord. 608 § 2 (part), 1988)

2.12.025 Member requirements

All members serve at the pleasure of the City Council and may be removed by the City Council at any time without cause. No more than one (1) member may be a non-resident. No more than two (2) members may be actively engaged in the real estate or land development business. In the event that during the term of any member of the planning commission the requirements are modified, whether by state statute or city ordinance, in such a manner as to increase or make more restrictive the membership requirements, any such modification shall not serve to disqualify any person then serving. Any such person shall serve until the end of the term for which they have been appointed unless an earlier resignation is submitted to the city. (Ord. 960, 2010; Ord. 957, 2009)

2.12.030 Vacancy on the commission

Vacancies on the commission shall be filled by recommendation of the Planning Commission and appointment by the council for the unexpired terms. A member may be removed from the commission if he or she is absent for three (3) consecutive regularly scheduled meetings without an excused absence. Members and alternates shall serve without compensation. (Ord. 960, 2010; Ord. 898 (part), 2006)

2.12.040 Alternate membership, terms.

An alternate shall have first priority of appointment upon permanent vacancy of any regular commission position. The appointment shall be based on the seniority of the alternates' position. Alternates are appointed to a position for terms of four (4) years or until such time as they are appointed to a position vacated by a regular member. In the case where the alternate fills a vacancy and becomes a member, he or she serves the remaining term of the member he or she replaces. (Ord. 960, 2010; Ord. 898 (part), 2006: Ord. 608 § 2, ¶2, 1988)

2.12.050 Alternates' duties.

Alternates may participate in the meetings' debates and/or discussions but cannot make a motion, second a motion, or vote on any motions unless they are directed by the Chair due to temporary absence of a regular voting member. (Ord. 960, 2010)

2.12.060 Chair and Vice Chair – requirements.

The Commission shall elect a Chair and Vice Chair from among the regular members, who shall hold the office for one (1) year. The Chair and Vice Chair should have been a voting member of the Commission for at least one (1) year. If the Chair and/or Vice Chair cannot meet this requirement, a special election for the necessary position(s) shall be required to determine the most appropriate person(s) for the position(s). (Ord. 960, 2010)

2.12.065 Commission organization--Meetings.

A quorum of three members is necessary for the transaction of business. The commission shall hold regular meetings at a date and time determined by the commission. Special meetings shall be held as deemed necessary by its Chair, by a majority of its members, or by the City Council. The commission shall adopt rules for the transaction of business and shall keep a written record of its meetings, resolutions, transactions, findings and determinations, which shall be a public record. A secretary shall be provided by the city staff to prepare minutes and keep such records and perform such other duties as prescribed by the commission and approved by the City Council. (Ord. 960, 2010; Ord. 898 (part), 2006: Ord. 650, 1989)

2.12.070 Duties and powers of the commission.

The duties and powers of the commission shall be as set forth in NBMC Title 18. (Ord. 960, 2010; Ord. 898 (part), 2006: Ord. 608 § 5, 1988)

2.12.080 Duties and powers of the city council regarding planning.

The duties and powers of the City Council shall be as set forth in NBMC Title 18. (Ord. 960, 2010; Ord. 898 (part), 2006: Ord. 608 § 6, 1988)

2.12.090 Authority.

The City Council and Planning Commission declare their intention to perform planning functions and the implementation thereof pursuant to the Optional Municipal Code provisions pertaining to planning and zoning in Code Cities (35A.63 of Ch. 119, laws of 1967) and as may thereafter be amended. (Ord. 960, 2010; Ord. 898 (part), 2006: Ord. 608 § 7, 1988)

Chapter 2.16

EMPLOYEES RETIREMENT SYSTEM

Sections:

- 2.16.010** **Membership in system authorized.**
- 2.16.020** **Copy transmittal to state board.**

2.16.010 **Membership in system authorized.**

The City Council of North Bonneville authorizes and approves the membership and participation of its eligible employees in the Washington Public Employees' Retirement System pursuant to RCW 41.40.410, and authorizes the expenditure of the necessary funds to cover its proportionate share for participation in said system. (Ord. 357 § 1, 1977)

2.16.020 **Copy transmittal to state board.**

The City Clerk is directed to transmit a certified copy of the ordinance codified in this chapter to the Retirement Board of the System as evidence of authorization and approval. (Ord. 357 § 2, 1977)

Chapter 2.20

SOCIAL SECURITY

Sections:

- 2.20.010** **Purpose.**
- 2.20.020** **Authorization.**
- 2.20.030** **Plan adopted.**

2.20.010 **Purpose.**

The employees of the town of North Bonneville are not now covered by any state or local retirement or pension plan or system, and it is the desire of all employees of said Town that the coverage and benefits of the Federal Social Security Program be made available to them. (Ord. 115 § 1, 1955)

2.20.020 **Authorization.**

The Mayor and town Clerk, or either of them, are authorized and directed to apply to the Governor of this State, acting through the Employment Security Department, for coverage of all employees of the town as may be eligible for said coverage pursuant to Chapter 41.48 of the Revised Code of Washington and the Federal Social Security Act. (Ord. 115 § 2 (part), 1955)

2.20.030 **Plan adopted.**

Pursuant to the requirements of Section 41.48.050 of the Revised Code of Washington, the following plan is adopted and shall be submitted to the Governor as the plan of the Town for extending the benefits of the Social Security Program to its employees:

- (a) All employees who are eligible for coverage shall be included therein.
- (b) Coverage shall commence as of January 1, 1955. Contributions required from said employees to effect coverage back to January 1, 1955 shall be paid by said employees, but if not so paid, the said retroactive contributions shall be deducted from current wages earned. Further contributions required from said employees to maintain said coverage shall be deducted from each wage payment at the rate then in effect as provided by the Federal Social Security Act.

(c) Contributions required to be made by the Town for the calendar year 1955, shall be paid by emergency warrants after the due enactment of an emergency Ordinance therefore. Sufficient funds not otherwise appropriated are on hand and available for disbursement for said purposes. Sufficient funds for the contribution required by the Town in subsequent years shall be provided in the annual town budget.

(d) Contributions to be made by the employees of the Town by deduction from wages earned and the contribution to be made by the Town shall at all times be the identical rates then in effect as provided by the Federal Social Security Act.

(e) The Town Clerk shall supervise the administration of plan, including the keeping of the necessary records and the preparation of all reports.

(f) The foregoing plan shall be subject to termination in its entirety by the Governor of this State, when, in the discretion of the Governor, the Town has failed to comply with the foregoing plan; such termination to be effective after notice and hearing as provided by law. (Ord. 115 § 2 (part), (a--f), 1955)

Chapter 2.24

VOLUNTEER FIRE DEPARTMENT

Sections:

- 2.24.010 Administrative Role and Responsibility.**
- 2.24.020 Fire Department By-laws.**
- 2.24.030 Fire Department Membership.**
- 2.24.040 Prequalification Requirements.**
- 2.24.050 Fire Department Personnel Review, Requirements and Training.**
- 2.24.060 Compensation.**
- 2.24.070 Chief, General.**
- 2.24.071 Chief, Qualifications.**
- 2.24.072 Chief, Duties.**
- 2.24.080 Selection of the Chief.**
- 2.24.090 Other Department Officers.**
- 2.24.091 Assistant Chief.**
- 2.24.092 Secretary.**
- 2.24.100 Equipment and Property.**
- 2.24.110 Fire Department Enforcement.**

* Prior ordinance history: (Ord. 940, 2008; Ord. 720, 1995; Ord. 150, 1960; Ord. 38, 1940; Ord. 37, 1940)

2.24.010 Administrative Role and Responsibility.

The City of North Bonneville's [City] fire control services are performed by the Fire Department which is under the legislative purview of the City Council [Council] and the administrative purview of the City Mayor [Mayor].

The Council, as the City's legislative authority, provides for the community's health, safety and welfare by assuming a variety of duties and functions related to a fire department operation including rules, regulations, standards; developing the yearly budget and serving as an appellant body. Accordingly, the Council is tasked with developing the City's fire control policies, maintaining mutual aid agreements and service contracts, and approving its yearly budget.

The Mayor serves as the City's chief executive officer and has direct authority over all City personnel and department activity. Thus, the Mayor is responsible for assuring the City Fire Department provides adequate public service delivery. The Mayor may delegate their responsibility the Fire Chief but retains ultimate responsibility for service delivery decisions. The Fire Department is overseen by a Fire Chief

[Chief] who is answerable to the Mayor and/or a designated subordinate. The City relies upon volunteers to staff the Fire Department and provide its services as the City does not have the financial means to provide for a permanent staff. (Ord. 1070, 2016)

2.24.020 Fire Department By-laws.

The Fire Department shall adopt by-laws, rules or regulations as it may deem necessary or desirable; and shall provide for such personnel for the government of its affairs as it may deem necessary. These by-laws, rules or regulations shall be vetted by the City attorney to assure they do not contain impermissible language. Since this volunteer department utilizes City owned building and equipment, and is funded by the City, the Fire Department and its members are representatives of the City. Thereby, by-laws or any department rules or regulations are subject to a review and approval by the Council to assure compliance to governmental procedures and requirements. (Ord. 1070, 2016)

2.24.030 Fire Department Membership.

Fire Department membership is limited to a total of 20 fire fighters and additional auxiliary members unless this number is amended by Council action. The Fire Department membership shall consist of, at least, a Fire Chief (Chief), Assistant Chief, Secretary, and any necessary titled individual (officers) as determined by the Chief's assessment of roles and duties. (Ord. 1070, 2016)

2.24.040 Prequalification Requirements.

Fire Department membership is open to all city residents at least 18 years of age. All fire department applicants are subject to criminal background and driver record check, drug test, physical agility test, health evaluation by a licensed physician, completion of the State of Washington Board for Volunteer Fire Fighters and Reserve Officers medical exam form, and possession of a valid driver's license. These requirements shall be satisfied prior to their acceptance as a fire volunteer. Auxiliary members are only required to pass a criminal background check.

A Council member may serve as a volunteer fire fighter, provided that action is approved by Council resolution adopted by 2/3rds of the full legislative body in accordance with RCW 35.21.770 and they have the ability to meet the prequalification requirements. A council member approved to serve in this role shall adhere to these code provisions. (Ord. 1070, 2016)

2.24.050 Fire Department Personnel Review, Requirements and Training.

The City will review all applicants' requisite paperwork for completeness and provide the chief with the approval to start the health evaluation and training. After the administrative review, all volunteer are provided with a copy of North Bonneville Personnel Manual and department by-laws and are obligated to follow the rules, regulations, procedures and practices contained within these documents. Firefighters shall sign off that they have reviewed these documents, understand and agree to comply with the contents.

Firefighters are also obligated to familiarize themselves with the rules, regulations and policies intended to assure public health and safety contained in City, state, and federal regulations. The State of Washington safety standards for firefighters are contained in chapters of the Washington Administrative Code (WAC) 296-305. All firefighters must have training and education commensurate with the duties and functions they are expected to performed. Such training and education must be provided before emergency activities are performed in accordance with WAC 296-305-05502. Accordingly, the chief must certify this training and education before the firefighter is capable of serving as a qualified firefighter.

In addition, all volunteer firefighters are members of the Washington Cities Insurance Authority (WCIA) and must comply with the licensing, driving qualifications, fitness and training requirements. All firefighters are exempt from Commercial Driver's License but all operators of emergency vehicles shall carry a current certification card proving they have completed the Emergency Vehicle Accident Prevention Program. The operator control is contained in WCIA FLT.01 and approval process is

contained in WCIA FLT.02. The fire emergency vehicle operations controls for training and approval are contained in WCIA FIR.04 and FIR.05.

All firefighters shall take whatever prudent measures are necessary to assure preservation of life and protection of property. The Fire Department membership is required to attend at least two (2) scheduled regular and/or special drills per month, except when excused by proper authority.

An auxiliary member is generally a volunteer who is unable to perform the physical firefighter requirements, but receptive to assisting the department with cleaning, maintenance, and/or documentation needs. Auxiliary members shall not be used for fire or rescue operations and cannot be a command officer.

Firefighters shall not provide Fire Marshall Services. (Ord. 1070, 2016)

2.24.060 Compensation.

In exchange for the training and public service they will receive compensation established by Council and are eligible for State operated retirement program administered by the Washington State Board of Volunteer Firefighters and Reserve Officers. All firefighters are entitled to a stipend and eligible for pension consideration in accordance with City of North Bonneville Personnel Manual and City codes and ordinances. (Ord. 1070, 2016)

2.24.070 Chief, General.

The Mayor delegates his authority to the Chief who then has control over fire personnel, fire related equipment, fire prevention strategies, fire fighting activities, rescues and other health and safety related emergency service matters conducted within the City limits. The Chief is elected by its member but is subject to approval by the City. The Chief may at times have authorities' outside City limits as stipulated in various mutual aid agreements. The Chief may delegate portions of their duties to other officers but the responsibility of all department actions and reports remains with the Chief and ultimately the Mayor. If the Chief is confronted with a situation involving law enforcement assistance, and particularly rescue operations and/or criminally related activity, the Chief will coordinate their response with the Sheriff's Department. (Ord. 1070, 2016)

2.24.071 Chief, Qualifications.

The Chief shall be qualified by training, experience and ability to command firefighters. The Chief shall be an active firefighter whose activities and actions comply with standards established by the State of Washington Board of Volunteer Firefighters and Reserve Officers. The Chief shall not engage in any activity which they do not have certified training. (Ord. 1070, 2016)

2.24.072 Chief, Duties.

The Chief selects appropriate officers necessary to operate the department based on training, ability and experience. The Chief shall assure that performed drills and instructions in the operation and handling of equipment, first aid, rescue, salvage, structure study, fire prevention, water supplies other matters generally considered essential to the operation and safety of life and property from fire or fire related emergency. The Chief is accountable for its members conduct in accordance with the North Bonneville Personnel Manual and Washington State laws.

The Chief shall be responsible for the safety and needs of its department members and the City. The Chief is required to provide the City with all pertinent information including, but not limited to change of officers, new members sign up, and receipt(s) requiring reimbursement. Incident reports in which there is a death or injury or suspected arson shall be forwarded to the City within 3 days. The Chief shall timely sign all reports and maintain records as required by RCW 40.14.070 with a duplicate copy provided to the City. The Chief is responsible for the care and custody of all fire related equipment.

The Chief shall administer the budget and see that the records are kept in accordance with City financial requirements. If there are budget concerns, overage or lost of significant equipment, the chief shall bring the concerns to the attention of the City as soon as possible.

The Chief shall provide quarterly reports to the Council and Mayor concerning the condition of the apparatus and equipment; the number of calls responded, the number of incidence reports, their location and cause, date of activity and losses incurred; the number and purpose of runs; the name and number of members responding to each run and changes in membership and other items requested by Council and/or the Mayor.

The Chief shall annually provide a written report to the Mayor and ~~to~~ Council by September 30 summarizing the following items: number of training sessions and drills, types of training activities, calls and actual responses, fire investigations, inspections, equipment status, number of active personnel and general responses to fire related hazards/concerns. The information should be formatted so that it may be easily tracked from year-to-year. The Chief shall provide recommendations for improving department efficiency as part of the budgeting process. The Chief shall work with the City Administrator to address next year's budgeting needs and/or financial issues should they arise.

A member may be suspended or discharged from the department with cause by the Chief at any time in accordance with the City's personnel policies and practices. The Chief shall consult with the City Attorney prior to discharging a volunteer. A discharged volunteer has the opportunity to appeal that action within 90 day following the discharge.

The Chief is empowered to enter any and all buildings and premises at any reasonable hour with some factual basis for that action, to inspect for fire related hazards, and to serve written notice upon the owner or occupant thereof to abate, within a specified time, any and all fire hazards that may be found. The Chief shall be observant of people's privacy while on their premises. The Chief is responsible for assuring that entrance to property or buildings does not constitute trespass. Any person so served with a notice to abate any fire hazard or hazards shall comply therewith and promptly notify the Chief the matter of resolution. (Ord. 1070, 2016)

2.24.080 Selection of the Chief.

The Chief shall be elected to office by the membership through a balloting process at or before the second meeting in January of every even year and provided they have the requisite training and experience to assume this role. Upon the election of the Chief, the Chief shall notify the City and is subject for approval by the Council.

If the Chief resigns prior to their two [2] year term of office the Chief shall appoint a person to serve in their stead for the remainder of the term with confirmation at the next regularly scheduled meeting and further, subject to Council and Mayor approval. (Ord. 1070, 2016)

2.24.090 Other Department Officers.

The City requires at least three Fire Department officers for the purpose of being able to communicate with the volunteer department. The Chief and Assistant Chief and any other command officer shall have the authority and responsibility of commanding all members of the Fire Department. The Chief shall keep the Mayor apprised on any significant event in real time. Auxiliary members, if selected by the Chief, as officers, cannot be considered as a command officer nor be able to go on any incidents or fire calls. (Ord. 1070, 2016)

2.24.091 Assistant Chief.

The Assistant chief shall be an active firefighter whose activities and actions comply with standards established by the State of Washington Board of Volunteer Firefighters and Reserve Officers. The Assistant Chief shall have the authority and responsibilities of the Chief when that person is unavailable. The Assistant Chief shall not engage in any activity which they do not have the requisite training. If the Chief is absent from his post for more than a week they shall alert the Mayor to that circumstance. The Assistant Chief shall be the administration officer for department businesses. The Assistant Chief is accountable to the Chief and the Mayor. (Ord. 1070, 2016)

2.24.092 Secretary.

The Secretary may be an auxiliary member but would not be considered a command officer. The Secretary shall record all meetings. In the Secretary's absence another attending member shall assume this temporary duty. The meeting report shall contain, at a minimum, the names of those in attendance, nature of discussions, training exercise activities, equipment problems and other related matters.

The Secretary is responsible for delivering Fire Department maintenance records, incident reports, fire inspector reports, record of fire/rescue calls versus responses, and fire Investigation document and other fire requirements of RCW 40.14.070 to City Hall in a format acceptable to the City. All original documents and any new reports shall be maintained. The Secretary shall assure the Fire Department spends revenue in accordance with its approved budget. In the event the Fire Department determines to establish an association through formation of a nonprofit, that body shall be responsible for handling all privately secured finances in accordance with State and Federal laws and auditing procedures. The Secretary is accountable to the Chief. (Ord. 1070, 2016)

2.24.100 Equipment and Property.

The Public Works Department is responsible for Fire Department structures and the associated real property. The City's Public Works Department is also responsible for the fire hall and department structures, the surrounding grounds, and City's water system, except care and maintenance of the fire hydrants shall be a shared responsibility between the fire department and public works. All structural repairs [other than minor] shall be called to the attention of the City who will direct the Public Works staff for remedy.

The Chief is responsible for the care and custody of all fire related equipment, supplies, vehicles and tools intended for public use. Fire apparatus, facilities and/or equipment shall not be used for private purposes. Fire Department equipment and articles will remain under the Chief's control and used only for public purposes. No type of fire apparatus shall leave the City except in a response to a current mutual aid agreement response and only if the Chief shall determine that action would not jeopardize the community's health and safety.

Fire Department members shall log the time expended and type of maintenance performed on all fire equipment to assure its maximum state of readiness after use. Firefighters are required to keep their assigned equipment such as turnout gear, gloves, boots, and etcetera in clean repair and in its assigned location. (Ord. 1070, 2016)

2.24.110 Fire Department Enforcement.

The Chief or representative is empowered to enter buildings and premises with some factual basis for that action to inspect for fire related hazards, and to serve written notice upon the owner or occupant of a need to abate a public health or safety issue within a specified time. The Chief shall be observant of people's privacy while on their premises. The Chief is responsible for assuring that entrance to property or buildings does not constitute trespass.

In the event of a fire or fire related emergency, the Fire Department shall enter any City property and related commercial or private structures. The Department shall have right-of-way and control over all non emergency traffic when responding to an alarm. (Ord. 1070, 2016)

Chapter 2.28

COURT IMPROVEMENT ACT

Sections:

- 2.28.010** Court reorganized.
- 2.28.020** Municipal judge.
- 2.28.030** Court Improvement Act adopted.

2.28.010 Court reorganized.

The North Bonneville Municipal Court is hereby reorganized and reconstituted as the Municipal Court of North Bonneville pursuant to Chapter 3.50 RCW and as amended by the Court Improvement Act of 1984, Chapter 258, Laws of 1984. All of the functions and duties of the present North Bonneville Municipal Court, together with all cases pending thereunder, are transferred to the reconstituted Municipal Court of North Bonneville. (Ord. 541 § 1, 1984)

2.28.020 Municipal judge.

The Municipal Judge for said court shall be appointed by the Mayor, with the approval of the City Council, as provided by RCW 3.50.040, rather than elected as an alternative provision provided by said Chapter; and the Mayor may appoint judges pro-tem who shall act in the absence or disability of the regular judge of the Municipal Court. (Ord. 541 § 2, 1984)

2.28.030 Court Improvement Act adopted.

Chapter 3.50 RCW and as amended by the Court Improvement Act of 1984 is hereby adopted by reference and any additions or amendments to said Chapter shall be likewise adopted without any further act of the City Council. (Ord. 541 § 3, 1984)

Chapter 2.32

PERSONNEL POLICIES

Sections:

- 2.32.010** Adoption by Resolution

*Prior ordinance history: Ord. 609, Ord. 647 § 1.44, Ord. 964, Ord. 977. Reso. 317, 1995

2.32.010 Adoption by Resolution

The personnel policies of the City of North Bonneville may be adopted and periodically updated by resolution upon request of the mayor. (Ord. 976, 2011)

Chapter 2.36

WHISTLEBLOWER POLICY

Sections:

- 2.36.010** Policy statement.
- 2.36.020** Definitions.
- 2.36.030** Procedures for reporting.
- 2.36.040** Protection against retaliatory actions.
- 2.36.050** Responsibilities.

2.36.010 Policy statement.

It is the policy of the City of North Bonneville: (1) to encourage reporting by its employees of improper governmental action taken by City of North Bonneville officers or employees; and (2) to protect City of North Bonneville employees who have reported improper governmental actions in accordance with the City of North Bonneville's policies and procedures from retaliatory action. (Ord. 696 (part), 1992)

2.36.020 Definitions.

As used in this policy, the following terms shall have the meanings indicated:

"Emergency" means a circumstance that if not immediately changed may cause damage to persons or property.

"Improper governmental action" means any action by a City of North Bonneville officer or employee:

a. That is undertaken in the performance of the officer's or employee's official duties, whether or not the action is within the scope of the employee's employment; and

b. That (i) is in violation of any federal, state, or local law or rule, (ii) is an abuse of authority, (iii) is of substantial and specific danger to the public health or safety or (iv) is a gross waste of public funds.

"Improper governmental action" does not include personnel actions, including employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployments, performance evaluations, reductions in pay, dismissals, suspensions, demotions, violations of collective bargaining or civil service laws, alleged violations of labor agreements or reprimands.

"Retaliatory action" means any adverse change in the terms and conditions of a City of North Bonneville employee's employment. (Ord. 696 (part), 1992)

2.36.030 Procedures for reporting.

A. City of North Bonneville employees who become aware of improper governmental actions should raise the issue first with their supervisor. Except in the event of an emergency, the employee shall also submit a written report to the supervisor, or to the City of North Bonneville, stating in detail the basis for the employee's belief that an improper governmental action has occurred. Where the employee reasonably believes the improper governmental action involves his or her supervisor, the employee may raise the issue directly with the City of North Bonneville Mayor or such other person as may be designated by the City of North Bonneville Mayor to receive reports of improper governmental action.

B. In the case of an emergency, where the employee believes that damage to persons or property may result if action is not taken immediately, the employee may report the improper governmental action directly to the appropriate government agency with responsibility for investigation of the improper action.

C. The supervisor, the City of North Bonneville Mayor or the City of North Bonneville Mayor's designee, as the case may be, shall take prompt action to assist the City of North Bonneville in properly investigating the report of improper governmental action. City of North Bonneville officers and employees involved in the investigation shall keep the identity of reporting employees confidential to the extent possible under law, unless the employee authorizes the disclosure of his or her identity in writing. After an investigation has been completed, the employee reporting the improper governmental action

shall be advised of a summary of the results of the investigation, except that personnel actions taken as a result of the investigation may be kept confidential.

D. City of North Bonneville employees may report information about improper governmental action directly to the appropriate government agency with responsibility for investigating the improper action if the City of North Bonneville employee reasonably believes that an adequate investigation was not undertaken by the city of North Bonneville to determine whether an improper governmental action occurred, or that insufficient action has been taken by the City of North Bonneville to address the improper governmental action or that for other reasons the improper governmental action is likely to recur.

E. City of North Bonneville employees who fail to make a good-faith attempt to follow the City of North Bonneville's procedures in reporting improper governmental action shall not receive the protection provided by the City of North Bonneville in these procedures. (Ord. 696 (part), 1992)

2.36.040 Protection against retaliatory actions.

A. City of North Bonneville officials and employees are prohibited from taking retaliatory action against a City of North Bonneville employee because he or she has in good faith reported an improper governmental action in accordance with these policies and procedures.

B. Employees who believe that they have been retaliated against for reporting an improper governmental action should advise their supervisor, the City of North Bonneville Mayor or the City of North Bonneville Mayor's designee. City of North Bonneville officials and supervisors shall take appropriate action to investigate and address complaints or retaliation.

C. If the employee's supervisor, the City of North Bonneville mayor or the city of North Bonneville Mayor's designee, as the case may be, does not satisfactorily resolve a City of North Bonneville employee's complaint that he or she has been retaliated against in violation of this policy, the City of North Bonneville employee may obtain protection under this policy and pursuant to state law by providing a written notice to the City of North Bonneville council that:

1. Specifies the alleged retaliatory action; and
2. Specifies the relief requested.

D. City of North Bonneville employees shall provide a copy of their written charge to the city of North Bonneville Mayor no later than thirty (30) days after the occurrence of the alleged retaliatory action. The City of North Bonneville shall respond within thirty (30) days to the charge of retaliatory action.

E. After receiving either the response of the City of North Bonneville or thirty (30) days after the delivery of the charge to the City of North Bonneville, the City of North Bonneville employee may request a hearing before a state administrative law judge to establish that a retaliatory action occurred and to obtain appropriate relief provided by law. An employee seeking a hearing should deliver the request for hearing to the City of North Bonneville Mayor within the earlier of either fifteen (15) days of delivery of the City of North Bonneville's response to the charge of retaliatory action, or forty-five (45) days of delivery of the charge of retaliation to the City of North Bonneville for response.

F. Upon receipt of request for hearing, the city of North Bonneville shall apply within five (5) working days to the State office of Administrative Hearings for an adjudicative proceeding before an administrative law judge:

Office of Administrative Hearings
P.O. Box 42488, 4224 Sixth S.E.
Row Six, Bldg. 1
Lacey, WA 98504-2488
(206) 459-6353

G. The City of North Bonneville will consider any recommendation provided by the administrative law judge that the retaliator be suspended with or without pay, or dismissed. (Ord. 696 (part), 1992)

2.36.050 Responsibilities.

The Mayor or the Mayor's Designee is responsible for implementing the City of North Bonneville's policies and procedures: (1) for reporting improper governmental action; and (2) for protecting employees against retaliatory action. This includes ensuring that this policy and these procedures: (1) are permanently posted where all employees will have reasonable access to them; (2) are made available to any employee upon request; and (3) are provided to all newly-hired employees. Officers, managers and supervisors are responsible for ensuring the procedures are fully implemented within their areas of responsibility. Violations of this policy and these procedures may result in appropriate disciplinary action, up to and including dismissal. (Ord. 696 (part), 1992)

Chapter 2.40

ADMINISTRATIVE PROCEDURES

Sections:

2.40.010 Dishonored checks.

2.40.010 Dishonored checks.

A. The City Clerk/Treasurer is authorized to charge a fee of twenty dollars (\$20.00) to the person who issued the check to the city which was dishonored due to insufficient funds or other reason as stated by the bank which the check was drawn on.

B. The City Clerk/Treasurer will issue a notice of dishonor (as in the form provided in RCW 62A.3-520) giving the person fifteen (15) days from the date of the notice to pay the amount of the check, plus the twenty dollar (\$20.00) charge.

C. If said person fails to respond to notice of dishonor the city will forward the matter to the court of jurisdiction for further action as deemed necessary. (Ord. 758, 1998)

Chapter 2.41

PROCEEDURES IN PROCESSING CITIZEN COMPLAINTS

Sections:

2.41.010 Notice of complaint/grievance.

2.41.020 Complaint investigation.

2.41.030 Appeal of complaint

2.41.010 Notice of complaint/grievance.

A. A person with a complaint should notify the city at P.O. Box 7, 214 CBD Mall, North Bonneville, WA 98639 or at telephone number 509-427-8182. The complaint must be written.

B. The written complaint may be submitted on the "Code Violation/Nuisance/Complaint report form available at City Hall.

C. If at any time a complaint is filed, the complainant, victim or witness indicates a desire for or nondisclosure, such desire shall govern, pursuant to RCW 42.17.310(e). (Ord. 849 (part), 2003)

2.41.020 Complaint investigation.

A. The city staff, or his or her designee, shall refer the complaint to the appropriate department for action.

B. The city will provide a written response to the person who filed the complaint within fifteen (15) days of the day the complaint is received.

C. A copy of the complaint along with a copy of the written response will be given to the Mayor and City Council. (Ord. 849 (part), 2003)

2.41.030 Appeal of complaint.

A. If any party aggrieved by the resolution of the complaint, the party may, within thirty (30) days of the date the response is mailed, request a public hearing on the complaint before the City Council. A hearing will be convened within thirty (30) days of the receipt of the request. All requests for a hearing must be in writing. The city will notify, in writing, all appropriate sponsoring agencies and impacted parties. The City Council will decide on a final resolution of the complaint within thirty (30) days after the hearing. All parties impacted by the resolution will be notified in writing of the council's decision. (Ord. 849 (part), 2003)

Chapter 2.44

PUBLIC RECORDS

Sections:

- 2.44.005 Authority and purpose.**
- 2.44.010 Scope of rules authorized.**
- 2.44.020 Authority to amend rules.**
- 2.44.030 Authority to publish rules.**
- 2.44.040 Costs of providing public records.**
- 2.44.050 Interpretation of rules.**
- 2.44.060 Review of denial of request.**
- 2.44.070 Judicial review.**
- 2.44.080 Opt out of index of records.**

2.44.005 Authority and purpose.

A. The Act requires public agencies such as North Bonneville to make nonexempt "public records" available for inspection and copying in accordance with published rules. The Act defines "public records" to include any "writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained" by the agency.

B. The city clerk is authorized to establish and publish North Bonneville Public Records Act rules to provide the public with full access to public records consistent with the Act.

2.44.010 Scope of rules authorized.

As required by law or to the extent deemed necessary or appropriate, the North Bonneville Public Records Act rules will contain:

A. A description of North Bonneville city services, the designation of a public records officer (officer), the officer's contact information, the hours and location for inspection of public records and the officer's responsibilities under the Public Records Act;

B. The procedure for making, responding to, inspecting and copying records requests; protecting records from damage or disorganization; preventing excess interference with North Bonneville's other essential functions; protecting the rights of others; providing "fullest assistance" to requestors and timely action on public records requests;

C. For informational purposes, a list of laws in addition to the Act that exempts or prohibits the disclosure of public records held by North Bonneville;

D. Definitions as necessary or appropriate related to the Act.

2.44.020 Authority to amend rules.

The city clerk shall have the authority, with the consent of the Council, to amend the North Bonneville Public Records Act rules as necessary or appropriate to conform to laws or, as appropriate, to enhance services to the public, protect privacy, and/or increase efficiency in administering the Act to the fullest extent permitted by law.

2.44.030 Authority to publish rules.

The public records officer shall make the North Bonneville Public Records Act rules readily available to the public in electronic and paper mediums.

2.44.040 Costs of providing public records.

The city clerk shall have the authority to establish and/or change the costs of copying or the costs otherwise providing the requestor with public records in any format or medium to the fullest extent permitted by law. There is no fee for merely inspecting public records.

2.44.050 Interpretation of rules.

The Act and rules will be interpreted consistent with the Act's intent and case law, including in favor of disclosure as provided by law.

2.44.060 Review of denial of request.

The North Bonneville Public Records Act rules shall provide for obtaining internal administrative review of denials, in whole or in part, of public records requests as required by law.

2.44.070 Judicial review.

Any person may obtain review of denials of public records requests pursuant to RCW 42.56.550 at the conclusion of two business days after the initial denial regardless of any internal administrative appeal.

2.44.080 Opt out of index of records.

The city finds that creating and maintaining a central city index of records would require considerable staff time without adequate personnel to do so, and is therefore unduly burdensome and would interfere with the city operations. City files on cases and applications are typically small and easily reviewed to determine their contents for the purpose of requesting specific records. The city clerk's office shall maintain and make available to the public indexes of ordinances, resolutions, and policies adopted by the city council, minutes of regular meetings of the city council and amendments, revisions, and repeals thereof and all public contracts, deeds and leases. These and all other indexes maintained for city use will be made available for review by the public upon request to the public records officer, unless exempted by state law. (Ord. 771 § 4, 1998; Ord., 948, 2008)