

Title 2

ADMINISTRATION AND PERSONNEL

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Chapter 2.04

COUNCIL MEETINGS

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- 2.04.010 Meetings declared open.**
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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 Created.**
- 2.24.020 Department--By-laws.**
- 2.24.030 Department--Separate fund authorized.**
- 2.24.040 Membership limited/officers.**
- 2.24.050 Membership--Qualifications / acceptance / dismissal.**
- 2.24.060 Assistant chiefs/other officers--Appointment.**
- 2.24.070 Chief—Appointment / accountability.**
- 2.24.080 Chief--Duties.**
- 2.24.090 Equipment.**
- 2.24.100 Emergency--Right-of-way / traffic control.**
- 2.24.110 Emergency--Police powers.**
- 2.24.120 Penalties.**
- 2.24.130 Board of trustees—Created / membership.**
- 2.24.140 Board officers.**
- 2.24.150 Fire department--Membership limited.**
- 2.24.160 Volunteer firemen's relief / compensation--Adopted by reference.**
- 2.24.170 Fire Prevention Code adopted.**
- 2.24.180 Enforcement.**
- 2.24.190 Fire inspection committee.**
- 2.24.200 Modifications.**
- 2.24.210 Appeals.**
- 2.24.220 Penalties.**

2.24.010 Created.

There is hereby created a fire department for the Town of North Bonneville to be known and designated as the Volunteer Fire Department of the Town of North Bonneville which shall have full authority and control over all firefighting equipment and apparatus owned or held by the Town of North Bonneville; and shall have full control over the prevention and fighting of fires within town limits of the Town of North Bonneville. (Ord. 37, 1940)

2.24.020 Department--By-laws.

The Department shall adopt and promulgate any and all such by-laws, rules or regulations as it may deem necessary or desirable; and shall provide for such officer or officers for the government of its social affairs as it may deem desirable. (Ord. 37, 1940)

2.24.030 Department--Separate fund authorized.

The Department may, from funds not appropriated by the Council, accumulate and maintain its own fund or funds to be used in such manner or manners as it may seem fit. (Ord. 37, 1940)

2.24.040 Membership limited/officers.

Membership in the Fire Department shall be limited to not more than twenty-five (25) members for each one thousand (1,000) population of the Town of North Bonneville. The Officers of the Department shall consist of a chief and two (2) assistant Chiefs to be numbered first and second and to be ranked accordingly, and such other officers as the Chief may deem necessary for the protection and operation of the Department. (Ord. 720 § 2 (part), 1995; Ord. 37, 1940)

2.24.050 Membership—Qualifications / acceptance / dismissal.

(1) Election to and discharge from the department of members shall be governed and controlled by such by-laws, rules or regulations as may be adopted or promulgated by the Department from time to time; provided that before any applicant shall be elected to membership by the Department he shall have first submitted to a physical examination by a doctor or doctors designated by the Department and the report of such physical examination submitted to the Department prior to any election for membership.

(2) Any member of the Department may be suspended for a definite period of time, not to exceed 90 days, by the Chief at any time he may deem such action necessary for the good of the Department. Immediately upon suspension by the chief as provided herein the suspended member shall surrender to the Chief his Department badge and any and all equipment of the department held by him. (Ord. 37, 1940)

2.24.060 Assistant chiefs/other officers--Appointment.

Assistant Chiefs and all other Department and Company officers shall be appointed by the chief and subject to removal from office by him. Other officers appointed as deemed necessary by the chief. (Ord. 37, 1940)

2.24.070 Chief—Appointment / accountability.

The Chief shall be elected by the members of the Department. The Chief shall be held accountable to the Mayor and shall make written or verbal reports to the Council or Mayor as deemed necessary by the Chief, but not less than once a year. The position of the Fire Chief's general conduct and discipline shall fall to the Mayor. Procedures set forth in NBMC Chapter 2.32, Article III. General Conduct, Discipline and Appeal shall apply to the position of Fire Chief. (Ord. 940, 2008; Ord. 37, 1940)

2.24.080 Chief--Duties.

(1) The Chief shall formulate a set of rules and regulations for the conduct and operation of the Department, and shall be responsible to the Council for personnel, moral and general efficiency of the Department.

(2) The Chief shall at least once a month conduct suitable drills or instruction in the operation and handling of equipment, first aid and rescue work, salvage, and a study of public buildings in the City, fire prevention, water supplies or any and all other matters generally considered to good foremanship, and safety of life and property from fire.

(3) The Chief shall use his best endeavors to suppress the crime of arson, and shall investigate or cause to be investigated the cause, origin or circumstances of all fires.

(4) The Chief is hereby empowered to enter any and all buildings and premises at any reasonable hour for the purpose of making inspections in regard to fire 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. Any person so served with a notice to abate any fire hazard or hazards shall comply therewith and promptly notify the Chief.

(5) The Chief shall see that complete records are kept of all fires, inspections, apparatus and minor equipment, personnel and other information about the work of the Department.

(6) The Chief shall report monthly to the Board of Trustees of the Volunteer Firemen's Relief and Compensation Fund any changes in members.

(7) The Chief shall make a complete annual report to the Council within one month after the close of the fiscal year, to-wit: January 31st, such report to include the information specified above, together with comparative data for previous years when available, together with the recommendations for improving the efficiency of the Department. (Ord. 37, 1940)

2.24.090 Equipment.

(1) The Department shall be equipped with such apparatus and other equipment as may be required from time to time to maintain its efficiency and property protect life and property from fire.

(2) No person shall use any fire apparatus or equipment for private purpose, nor shall any person willfully and without proper authority take away or conceal any article owned or used by the Department.

(3) No person not a member of the Department shall enter where fire apparatus is housed or handle any apparatus or equipment belonging to the Department unless accompanied by, or having special permission of, an officer of the Department.

(4) No apparatus shall be hired out or permitted to leave the city except in a response to a call for aid at a fire in a neighboring community, and then only if the absence of such equipment will not jeopardize the protection of North Bonneville, and provided that the chief or one of the Assistant Chiefs is in personal charge of said apparatus. (Ord. 37, 1940)

2.24.100 Emergency--Right-of-way / traffic control.

(1) The automotive equipment of the Department and the authorized service cars of the water and light companies shall have right-of-way over all other traffic when responding to an alarm.

(2) No person shall drive any vehicles over fire hose except upon specific orders from the Chief or other officer in charge where hose is being used.

(3) No person shall park any vehicle or cause any obstruction to be placed in the runway leading from the place where the fire apparatus is stored.

(4) No unauthorized person with any vehicle shall follow within one block of the apparatus belonging to the Fire Department nor park any vehicle within one block of the fire.

(5) No unauthorized person shall come within 50 feet of the premises where any fire is being fought by the Department, providing that the chief may when he deems it necessary, establish a fire line at a greater distance than 50 feet from the scene of the fire, in which case no unauthorized person shall come within and beyond said fire line. (Ord. 37, 1940)

2.24.110 Emergency--Police powers.

(1) All regularly appointed members of the Department are hereby given the necessary special police powers for the purpose of enforcing the provisions of this Chapter; and for such purpose only are hereby declared to be regularly constituted police officers of the town of North Bonneville.

(2) It is hereby made the special duty of the Town Marshall and any and all other peace officers who may be on duty and available for fire duty to respond to all fire alarms and assist the Department in the protection of life and property in regulating traffic, maintaining order and enforcing observance of this chapter.

(3) Such Marshall or other peace officer or officers responding to such fire alarms shall first report to the chief or other such officers as may be in charge. (Ord. 37, 1940)

2.24.120 Penalties.

No person violating the provisions of Section 2.24.050(2), 2.24.080(4), 2.24.090(2, 3, 4), or 2.24.100, shall, upon conviction thereof, be fined in any sum not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00) or confined in Town Jail for a period less than three (3) days nor more than thirty (30) days or both such fine and imprisonment for each offence. (Ord. 37, 1940)

2.24.130 Board of trustees Created / membership.

There shall be created and established a Board of Trustees of the North Bonneville volunteer Firemen's Relief and Compensation Fund; and that such Board shall consist of the Mayor, Town Clerk, one (1) Councilman to be elected by the Council for a term of one (1) year and annually thereafter, Chief of the North Bonneville Volunteer Fire Department and one (1) member of said Fire Department who shall be elected by members of said Department for a term of one (1) year and annually thereafter. Such Board shall have powers and duties as are prescribed in Chapter 121 of the 1935 Session laws of the State of Washington as amended by Chapter 49 of the 1939 Session Laws of the State of Washington, relating to Volunteer Firemen's Relief and Compensation Fund. (Ord. 38 § 1, 1940)

2.24.140 Board officers.

The Mayor shall be ex-officio chairman; the Town Clerk shall be ex-officio secretary and treasurer of said Board. The Secretary shall keep a record of receipts and disbursements and shall make an annual report of the expenses and disbursements, with a full list of said fund in the town of North Bonneville, and the amount of such payments; such record to be placed on file in the office of the Town Clerk, and a copy thereof filed with the State Auditor. (Ord. 38 § 2, 1940)

2.24.150 Fire department--Membership limited.

The membership in the Fire Department shall be limited to not more than twenty-five (25) members for each one thousand (1,000) population of the City of North Bonneville as provided in RCW 41.24.050. (Ord. 720 § 2 (part), 1995; Ord. 37 § 2 (part), 1940)

2.24.160 Volunteer firemen's relief / compensation--Adopted by reference.

Chapter 121 of the 1935 Session Laws of the State of Washington, relating to the Volunteer Firemen's Relief and Compensation Fund, be, and the same is hereby, adopted by the Town of North Bonneville, and is by reference made a part of this chapter as fully as though incorporated herein.

It is the intention of this chapter to be in conformity with said Chapter 121 of the Session Laws of 1935 as amended by Chapter 49 of Session Laws of 1939 of the State of Washington, and to have the members of the volunteer Fire Department participate in and be entitled to the benefits and provisions of said act of the Legislature. (Ord. 38 §§ 4, 5, 1940)

2.24.170 Fire Prevention Code adopted.

There is hereby adopted by the Town of North Bonneville for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the Fire Prevention Code, Abbreviated Edition, recommended by the National Board of Fire Underwriters, being particularly the 1956 edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended (by section 5 of this ordinance), of which code not less than three (3) copies have been and now are filed in the office of the Clerk of the Town of North Bonneville and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the Town of North Bonneville. Any additions and amendment of said code hereafter duly adopted by the

Washington State Legislature and/or the National Board of Fire underwriters shall be likewise adopted without further act of adoption by the Town Council. (Ord. 150 § 1, 1960)

2.24.180 Enforcement.

The code hereby adopted shall be enforced by the Fire Chief of the Fire Department. (Ord. 150 § 2, 1960)

2.24.190 Fire inspection committee.

The code hereby adopted is amended and changed in the following respects: Section 2, paragraph 2 is amended as follows:

There shall be an inspection committee consisting of the following personnel.

1. Chief of the Fire Department;
2. One member of the Town Council;
3. One registered property owner in the Town of North Bonneville appointed by the Town Council.

(Ord. 150 § 5, 1960)

2.24.200 Code modifications.

The Chief of the Fire Department shall have power to modify any of the provisions of the code hereby adopted upon application in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed and the decision of the Chief of the Fire Department shall be entered upon the records of the department and a signed copy shall be furnished the applicant. (Ord. 150 § 6, 1960)

2.24.210 Appeals.

Whenever the Chief of the Fire Department shall disapprove an application, or refuse to grant a permit applied for, or when it is claimed that the provision of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal the decision of the Chief of the Fire Department to the Town Council within 30 days from the date of the decision appealed. (Ord. 150 § 7, 1960)

2.24.220 Penalties.

(a) Any person who shall violate any of the provisions of the code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Town Council or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively, be guilty of a misdemeanor punishable by a fine of not less than \$10.00 nor more than \$100.00 or by imprisonment for not less than five (5) days nor more than thirty (30) days or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.

(b) The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions. (Ord. 150 § 8 (a, b), 1960)

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)