

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

NOTICE OF INTRODUCTION OF ORDINANCE
AND
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that the Snohomish County Council will hold a public hearing on Wednesday, January 12, 2022, at the hour of 10:30 a.m. at 3000 Rockefeller Avenue, 8th Floor, Jackson Board Room, Everett, WA, to consider Proposed Ordinance 21-100. A summary is as follows:

Note: Due to current COVID-19 restrictions, Snohomish County Council is currently holding its public meetings remote only and will hold in-person meetings in conjunction with a remote meeting platform when restrictions and conditions change. Please check the Council webpage 24 hours prior to the scheduled hearing time for the most up-to-date information <https://snohomishcountywa.gov/2288/Meetings-Webcasts>, or contact the Council Clerk at 425-388-3494 or at contact.council@snoco.org.

Zoom Webinar link: <https://zoom.us/j/94846850772>

Dial in: (253) 215 8782 or (301) 715 8592

Meeting ID: 948 4685 0772

BACKGROUND: The proposed Ordinance amends Snohomish County Code to clarify the process by which Ethics Complaints are completed, considered, and then acted on (or dismissed). There are no substantive changes to the way the Code is enacted. The proposal covers code structure changes only.

PROPOSED ORDINANCE NO. 21-100

RELATED TO THE CODE OF ETHICS;
AMENDING SNOHOMISH COUNTY CODE 2.50.110

Section 1. SCC Section 2.50.110 Complaint procedures, subsections (1) and (3) are amended as follows:

(1) Any natural person who believes a person subject to the code of ethics has committed a violation of the code may file a complaint with the ethics commission. Complaints shall be subject to the following requirements:

- (a) The complaint must be based upon facts within the personal knowledge of the complainant;
- (b) The complaint must be submitted in writing and signed under oath by the complainant;
- (c) The complaint must include a detailed factual description of the alleged violation including the date, time and place of each occurrence and the name of the person or persons who are alleged to have committed a violation (~~(-The complaint must also refer to the specific provisions of the code of ethics which are alleged to have been violated)~~);
- (d) The complaint must be accompanied by all available documentation or other evidence known to the complainant to support the allegations of the complaint;
- (e) The complaint must be filed within five years of the date of the occurrence or occurrences alleged to constitute a violation of the code of ethics(~~(-)~~); and
- (f) The complaint must refer to the specific provisions of the code of ethics which are alleged to have been violated.

(3) The clerk shall forward the complaint and any accompanying documentation and evidence forthwith to the chairperson of the ethics commission. The chairperson shall review the complaint for compliance with the requirements of subsection (1) of this section. ~~((Should the chairperson find that))~~ If the chairperson determines that the complaint is noncompliant with subsection (1) of this section, the chairperson shall, within five working days of the filing of the complaint, enter a written order stating the chairperson's findings pursuant to subsection (3)(a) or (3)(b) below.

~~(a) ((The complaint is untimely))~~ The chairperson shall dismiss the complaint should the chairperson find that the complaint:

(i) is untimely; or

(ii) does not, on its face, state facts which, if proven to be true, constitute a violation of the code of ethics referred to in the complaint; or

(iii) is not based upon facts within the personal knowledge of the complainant.

~~(b) ((The complaint has not been filed under oath; or))~~ The chairperson shall find the complaint deficient if the complaint:

(i) has not been signed under oath; or

(ii) fails to refer to a specific provision of the code of ethics which is alleged to have been violated, or

(iii) fails to include a detailed factual description of the alleged violation including the date, time and place of each occurrence and the name of the person or persons who are alleged to have committed a violation, or

(iv) is not accompanied by all available documentation or other evidence known to the complainant to support the allegations of the complaint.

~~((c) The complaint does not, on its face, state facts which, if proven to be true, constitute a violation of the code of ethics referred to in the complaint; or))~~

If the chairperson finds that the complaint is deficient under this subsection (b), the chairperson's order shall notify the complainant that unless a corrected complaint is filed within five days of the issuance of such order, the complaint shall be dismissed.

~~((d) The complaint fails to refer to a specific provision of the code of ethics which is alleged to have been violated, the chairperson shall, within five working days of the filing of the complaint, enter a written order stating the chairperson's findings and, except as hereinafter provided, dismissing the complaint. If the chairperson finds that the complaint is deficient pursuant to findings (3)(b) or (d) of this section, the chairperson shall issue an order notifying the complainant that unless a corrected complaint is filed within five days of the issuance of such order, the complaint shall be dismissed.))~~

(c) The complainant may appeal the dismissal of a complaint under this subsection by filing an action in the Snohomish County superior court for a writ of certiorari pursuant to chapter 7.16 RCW within 10 days of the date of issuance of the order dismissing the complaint.

At the hearing, Council may consider alternatives/amendments to the proposed ordinance.

Where to Get Copies of the Proposed Ordinance: Copies of the full ordinance and related documentation are available upon request by calling the Snohomish County Council Office at (425) 388-3494, 1-800-562-4367 x3494, TDD 1-800-877-8339, or by e-mailing Contact.Council@snoco.org.

Website Access: The proposed ordinance is also available on the County Council's website at <https://snohomishcountywa.gov/2134/Council-Hearings-Calendar>.

Public Testimony: All interested persons may testify concerning the above described matter at the time and place indicated above or by remote participation in the meeting. Written testimony is encouraged and may be sent to Snohomish County Council, 3000 Rockefeller Avenue, M/S 609, Everett, WA 98201, faxed to 425 388-3496, or e-mailed to contact.council@snoco.org. Submitting

testimony 24 hours prior to the hearing will ensure copies are provided to Council and appropriate staff in advance of the hearing. (Note: All public testimony are public records and may be subject to disclosure pursuant to RCW Chapter 42.56. Any contact information provided will be available to the public on the Council's website.)

American Disabilities Act Notice: Accommodations for persons with disabilities are available upon request. Please make arrangements one week prior to the hearing by calling Elena Lao at 425-388-3494, 1-800-562-4367 x3494, TDD 1-800-877-8339, or e-mail elena.lao@snoco.org.


Dated this 17th day of December, 2021.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington



Council Chair

ATTEST:



Asst. Clerk of the Council

Publish: December 29, 2021

SUBMIT AFFIDAVIT TO: Council
SUBMIT INVOICE TO: Council 104482