

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

NOTICE OF ENACTMENT

NOTICE IS HEREBY GIVEN, that on January 12, 2022, the Snohomish County Council approved Ordinance 21-100, which shall be effective February 3, 2022. A summary is as follows:

**BACKGROUND:** Snohomish County Code is amended to clarify the process by which Ethics Complaints are completed, considered, and then acted on (or dismissed).

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.

**Copies of the Ordinance:** For copies of the ordinance, call 425-388-3494, 1-800-562-4367 x3494, TDD 1-800-877-8339; or e-mail [Contact.Council@snoco.org](mailto:Contact.Council@snoco.org). The ordinance is also available on the Council's website at <https://snohomish.legistar.com/Default.aspx> (File # 2021-1008) or <https://snohomishcountywa.gov/2134/Council-Hearings-Calendar> - Hearings Calendar.

Dated this 25<sup>th</sup> day of January, 2022.



Asst. Clerk of the Council

Publish: February 2, 2022

SUBMIT AFFIDAVIT TO: Council

SUBMIT INVOICE TO: Council 104482