

Title 2

ADMINISTRATION AND PERSONNEL*(1)

Chapters:

- 2.04 City Council and Mayor**
- 2.08 City Officers Generally**
- 2.12 Planning Commission**
- 2.16 Civil Service Rules and Regulations**
- 2.20 Park and Recreation Board**
- 2.24 Public Library**
- 2.28 Travel Expense Advancements**
- 2.32 Credit Card Issuance**
- 2.36 Reporting Improper Governmental Action and Protecting Employees Against Retaliation**
- 2.40 Public Records**
- 2.44 Defense and Indemnification of City Officers and Employees**
- 2.48 Traffic Violations Bureau**

Chapter 2.04
CITY COUNCIL AND MAYOR

Sections:

2.04.010 Regular meetings.

2.04.020 Work sessions.

2.04.030 Notice of change in time or place of meetings.

2.04.040 Compensation of mayor and council members.

2.04.010 Regular meetings.

Regular meetings of the city council shall be held on the first four Tuesdays of each month throughout the year, at seven-thirty p.m. in the Brier City Hall, located at 2901 228th Street SW, Brier, Washington. No regularly scheduled council meeting shall take place on a state holiday, but the same shall be held on the next business day immediately following the holiday. (Ord. 366 §1(Exh. A)(part), 2009: Ord. 1.J §2, 1982)

2.04.020 Work sessions.

Work sessions of the city council shall be held during the regular meetings on the first and third Tuesdays of each month. There shall be no audience participation during any work session, unless permitted by consent of a majority of the city council members present. During work sessions, the city council shall not pass any ordinance, adopt any resolution, hold any officially noted public hearing, or take final action on any matter. (Ord. 366 §1(Exh. A)(part), 2009: Ord. 1.J §3, 1982)

2.04.030 Notice of change in time or place of meetings.

If the mayor and city council shall determine that the place of a regular meeting shall be other than at the Brier City Hall, the city clerk shall give notice of the changed place of the meeting, which notice shall include a designation of the place and time of the meeting. The notice shall be posted in the three official posting places not fewer than three calendar days prior to the scheduled meeting date. In addition, the city clerk shall cause notice to be given to each newspaper of general circulation in the city and to those radio and television stations which have filed a request to be notified of special meetings pursuant to the Open Public Meetings Act. (Ord. 366 §1(Exh. A)(part), 2009: Ord. 1.J §5, 1982. Formerly 2.04.040)

2.04.040 Compensation of mayor and council members.

A. As compensation for service to the city, the mayor shall receive a base payment of one thousand dollars per month, plus thirty-five dollars per city council meeting attended, including liaison meetings, on behalf of the city.

B. As compensation for service to the city, a member of the city council shall receive a base payment of two hundred dollars per month, plus twenty-five dollars per city council meeting attended, including liaison meetings, on behalf of the city. (Ord. 366 §1(Exh. A)(part), 2009: Cd. 3.AA §§ 1, 2, 3, 2001: Ord. 3.Y §1, 1996: Ord. 3.Q §1, 1991. Formerly 2.04.050)

Chapter 2.08
CITY OFFICERS GENERALLY

Sections:

- 2.08.010** **Positions established.**
- 2.08.020** **Appointive positions.**
- 2.08.030** **Reimbursement for expenses incurred.**
- 2.08.040** **Bonds for certain officers.**

2.08.010 **Positions established.**

A. There are created and established the following positions within the city

1. City clerk/treasurer/comptroller
2. Deputy city clerk/treasurer;
3. Office assistant/billing clerk/word processing clerk
4. Director of community development and planning;
5. City planner;
6. Director of public works;
7. Public works foreman;
8. Public works maintenance worker
9. Building/code official
10. Building inspector/plans examiner;
11. Police chief;
12. Police lieutenant
13. Police sergeant;
14. Police officer and reserve officer;
15. Police clerk;
16. Support services supervisor;
17. Police detective;
18. Code enforcement officer
19. Traffic violations clerk;
20. Utility billing clerk

B. The duties and functions of the positions described in subsection A of this section shall be as defined by the city council, the Revised Code of Washington, the Washington Administrative Code or applicable federal law. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 330 §1, 2006; Ord. 5.D §1, 1987)

2.08.020 **Appointive positions.**

A. The following positions are appointive positions to be appointed by the mayor and subject to council approval:

1. City clerk/treasurer/comptroller
2. Deputy city clerk/treasurer;
3. Director of community development and planning;
4. Building inspector/plans examiner
5. City engineer;
6. City attorney;

7. Police chief;
8. Police lieutenant
9. Building/code official
10. Director of public works;
11. Code enforcement officer
12. City planner.

B. The city shall obtain the services of a city attorney, city prosecutor and city engineer by any reasonable contractual arrangement for such professional services; provided, that the city council must approve the contractual arrangement

C. Except for the appointive officers in subsection A of this section that are paid by contract, the salary of each appointive officer, and the salary or wage of each appointive officer working under such appointive officer, shall be set by the city council. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 7.C §§1, 2, 1984)

2.08.030 Reimbursement for expenses incurred.

A. If approved by the city council, the mayor and city council members shall be reimbursed for expenses incurred in connection with official city business; provided, the reimbursement for educational programs shall be approved in advance by the city council.

B. All city employees shall be reimbursed for expenses incurred in connection with officially assigned duties.

C. Officers and employees shall be reimbursed for

1. The use of personal automobiles or other vehicles at a rate equal to the current published rate per mile of the Internal Revenue Service
2. Expenses other than automobile use at actual expense
3. Lodging, meals, ferries or other purposes at actual expense, so long as such expense is ordinary, necessary, and otherwise authorized as lawful expenditures of the city.

D. All claims for reimbursement shall be duly certified by the officer or employee submitting such claims on forms and in the manner prescribed by the division of municipal corporations in the office of the State Auditor.

E. The city clerk will submit all such claims for reimbursement to the city council for its approval, by a majority vote, prior to payment

F. Advance payments of travel expenses shall be made pursuant to Chapter 2.28. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 8.A §§1, 2, 3, 4, 1982. Formerly 2.08.040)

2.08.040 Bonds for certain officers.

A. The city shall bond the following officers in the amount shown in this section, conditioned as to the faithful, ethical and lawful performance of their duties, and further conditioned against malfeasance and/or misfeasance in office

1. City clerk/treasurer, ten thousand dollars
2. Utility billing clerk, ten thousand dollars
3. Traffic violations clerk, ten thousand dollars

B. All bonds shall take effect and be enforced after passage and posting as required by law. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 7.C §§1, 2, 1984. Formerly 2.08.070)

Chapter 2.12
PLANNING COMMISSION

Sections:

- 2.12.010** **Established—Membership.**
- 2.12.020** **Appointment—Compensation.**
- 2.12.030** **Organization—Meetings.**
- 2.12.040** **Quorum.**
- 2.12.050** **Powers and duties generally.**
- 2.12.060** **Recommendations and reports.**
- 2.12.070** **Recordkeeping—Annual report.**

2.12.010 **Established—Membership.**

A. In accordance with Chapter 35A.63 RCW, there is established a planning commission consisting of seven members, appointed by the mayor and confirmed by majority vote of the city council

B. The term of office for each member shall be for two years. The term of office for position Nos. 1 and 2 shall begin on February 1st of an odd-numbered year and shall expire on January 31st of the next odd-numbered year; the term of office of position No. 3 shall begin on August 1st of an odd-numbered year and shall expire on July 31st of the next odd-numbered year; the term of office of position Nos. 4 and 5 shall begin on February 1st of an even-numbered year and shall expire on January 31st of the next even-numbered year; the term of office of position Nos. 6 and 7 shall begin on August 1st of an even-numbered year and shall expire on July 31st of the next even-numbered year. The term of office of a member who is appointed to begin a term in mid-term shall expire on the January 31st or July 31st expiration date that would apply to the specific term of that position

C. Vacancies occurring otherwise than through the expiration of a term shall be filled for the unexpired term

D. Members may be removed, after public hearing, by the mayor, with the approval of a majority of the members of the city council, for inefficiency, neglect of duty, or malfeasance or misfeasance of office. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 6.J §1, 1994; Ord. 6.I §1, 1994; Ord. 6.H §1, 1990; Ord. 6.G §1, 1982. Formerly 2.36.010)

2.12.020 **Appointment—Compensation.**

Members shall be selected and appointed without respect to political affiliations, and shall serve without compensation. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 6.G §2, 1982. Formerly 2.36.020)

2.12.030 **Organization—Meetings.**

A. The planning commission shall elect one of its members as chair of the commission, and shall adopt rules of procedure consistent with state law for the governing of its meetings and the transaction of its business.

B. The planning commission shall meet on the third Wednesday of each month

C. In the event the commission is unable to transact business at its regular scheduled meeting by reason of lack of a quorum, all matters on the agenda for the meeting shall be placed on the agenda of a continued meeting of the commission, which shall be held on the following Wednesday at the same time and place as the initial meeting was scheduled. Notice of the continuance, including notice of the time and place

of the continuance, shall be given pursuant to RCW42.30.100, which incorporates the notice for special meetings provision of RCW42.30.080, and shall be conspicuously posted immediately after the time of the adjournment on or near the door of the place where meeting being continued was held.

D. The planning commission meetings shall commence at seven p.m. at the Brier City Hall located at 2901 228th Street SW, Brier, Washington, or such other time and place as a majority of a quorum of the commission designates. A notice of the different time or location for any regular meeting as designated by the commission shall be given in conformance with the Open Public Meetings Act of the state of Washington, as referred to in this section. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 6.M §1, 2003; Ord. 6.L §1, 1997; Ord. 6.K §1, 1996; Ord. 6.G §3, 1982. Formerly 2.36.030)

2.12.040 Quorum.

No business shall be transacted by the commission unless there is a quorum present. Any action taken by a majority of the quorum present at any regular or special meeting of the commission shall be deemed and taken as the action of the commission. (Ord. 36 §1(Exh. A)(part), 2009; Ord. 6.G §4, 1982. Formerly 2.36.040)

2.12.050 Powers and duties generally.

The planning commission shall have all the powers and duties conferred by Chapt35A.63 RCW and this code. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 6.G §5, 1982. Formerly 2.36.050)

2.12.060 Recommendations and reports.

The city council shall refer to the planning commission for its recommendation and report any proposed ordinance or resolution relating to the comprehensive plan and development regulations, including but not limited to zoning ordinances, critical areas ordinances, subdivision ordinances, shoreline master programs and official controls, but not including building codes. The commission shall promptly report to the council thereon, making its recommendations and giving such counsel as it may deem appropriate (Ord. 366 §1(Exh. A)(part), 2009; Ord. 6.G §§6, 7, 1982. Formerly 2.36.060)

2.12.070 Recordkeeping—Annual report.

The planning commission shall keep written records of its meetings. At or before its first meeting in October of each year, the commission shall make a full report in writing to the city council of its transactions and expenditures, if any, for the preceding year, with such general comments and recommendations as to matters within its jurisdiction that it deems appropriate. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 6.G §8, 1982. Formerly 2.36.070)

Chapter 2.16
CIVIL SERVICE RULES AND REGULATIONS

Sections:

- 2.16.010** **Creation—selection.**
- 2.16.020** **Membership.**
- 2.16.030** **Terms.**
- 2.16.040** **Organization.**

2.16.010 **Creation—selection.**

Pursuant to Chapter 41.12 RCW, there is created a civil service commission for the city, to exercise the powers and perform the duties established by law in connection with the selection, appointment and employment of police officers of the city. Except as provided in this chapter, the provisions of Chapter 41.12 RCW shall control the selection, appointment, employment and commission of all commissioned police officers, excluding the rank of chief, and all other aspects of police civil service. (Ord. 366 §(Exh. A)(part), 2009; Ord. 3.U §1, 1994; Ord. 74.B §1, 1983. Formerly 2.44.010)

2.16.020 **Membership.**

The commission shall be composed of three members, who shall be appointed by the mayor and who shall serve without compensation. Members of the commission shall have the other qualifications as required in RCW 41.12.030. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 74.B §2, 1983. Formerly 2.44.020)

2.16.030 **Terms.**

Term of office of such civil service commission shall be six years, and the present civil service commissioners shall serve in said position until expiration of their existing terms of office, resignation or removal. In the event any civil service commissioner resigns, becomes disqualified or is removed for cause, another commissioner shall be appointed to take his place for the unexpired portion of the term. (Ord. 366 §1(Exh. A)(part), 2009)

2.16.040 **Organization.**

The civil service commission shall organize itself, hold meetings, adopt rules and regulations and perform the duties and exercise the powers of the commission in accordance with Chapter 41.12 RCW. (Ord. 366 §1(Exh. A)(part), 2009)

Chapter 2.20
PARK AND RECREATION BOARD

Sections:

- 2.20.010** **Created—Membership.**
- 2.20.020** **Terms of membership.**
- 2.20.030** **Organization.**
- 2.20.040** **Powers and duties.**
- 2.20.050** **Removal from office.**
- 2.20.060** **City council liaison.**

2.20.010 **Created—Membership.**

There is hereby created a park and recreation board consisting of seven voting members, who shall be appointed by the mayor, to be confirmed by the city council, from citizens who reside within the city. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 53.D §1, 2002; Ord. 53A §1, 1983. Formerly 2.68.010)

2.20.020 **Terms of membership.**

A. The members of the committee shall serve without compensation, shall be selected without respect to political affiliation, and shall initially be appointed for staggered terms as follows: two of the original members (Positions 1 and 2) shall be appointed and confirmed for one-year terms, two of the original committee members (Positions 3 and 4) shall be appointed and confirmed for two-year terms, two of the original committee members (Positions 5 and 6) shall be appointed and confirmed for three-year terms, and one of the original members (Position 7) shall be appointed and confirmed for a four-year term. The date of initial appointment and confirmation was September 15, 2002. The terms for all members subsequently appointed upon the expiration of any term shown above shall be four years.

B. Vacancies occurring before the expiration of any term shown above shall be filled by appointment and confirmation and will last for the unexpired term of the position being filled. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 53.D §2, 2002; Ord. 53A §2, 1983. Formerly 2.68.020)

2.20.030 **Organization.**

A. Members of the board shall meet and annually elect from the members of the board a chair and a vice chair, and such other officers as may be determined by the board. It shall be the duty of the chair to preside at all meetings. The vice chair shall perform this duty in the absence of the chair. A majority of the board shall not be required in order to conduct the discussions, advice and recommendations of the board.

B. A public meeting of the board shall be held at least once a month on the second Wednesday of each month at seven p.m.

C. Robert's Rules of Order may be used as applicable to conduct meetings of the board. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 53.D §3, 2002; Ord. 53.B §1, 1990; Ord. 53A §3, 1983. Formerly 2.68.030)

2.20.040 **Powers and duties.**

The board is advisory and makes recommendations to the mayor and city council. This may include but is not limited to the following

- A. Recommend recreational or cultural activities
- B. Planning, promotion, management, acquisition, construction, development, maintenance and

operation, including restrictions on, and compensation to be paid for, concessions or privileges in parks, playgrounds, squares, parkways and boulevards, play and recreation grounds, and/or other municipally owned recreational facilities, including community buildings and improvements and ornamentation of the same;

C. Proposed contracts with the United States, the state, any county, city or town, park district, school district, port district or any such public organizations for the purpose of conducting a recreational program or exercising other powers granted by this chapter

D. To recommend rules and regulations for the government, management, supervision, and control of the city parks and recreational facilities and programs

E. To recommend an annual budget with proposed revenues from park facilities and proposed expenditures; and

F. To make recommendation and advise on all equestrian matters. (Ord. 366 §1(Exh. A)(part), 2009: Ord. 53.D §4, 2002: Ord. 53A §4, 1983. Formerly 2.68.040)

2.20.050 Removal from office.

Members may be removed, by the mayor, for inefficiency, nonattendance or neglect of duty. (Ord. 366 §1(Exh. A)(part), 2009: Ord. 53A §5, 1983. Formerly 2.68.050)

2.20.060 City council liaison.

At the beginning of each year, the mayor pro tem shall appoint a member of the city council to serve as liaison to the park board to assist in communicating the advice and recommendations of the board to the mayor and city council. The liaison council member is a nonvoting representative of the board. (Ord. 366 §1(Exh. A)(part), 2009: Ord. 53.D §5, 2002. Formerly 2.68.060)

Chapter 2.24
PUBLIC LIBRARY

Sections:

- 2.24.010 Library created.**
- 2.24.020 Library board—Created.**
- 2.24.030 Library board—Terms of office.**
- 2.24.040 Library board—Organization.**
- 2.24.050 Library board—Powers and duties.**
- 2.24.060 Library board—Council liaison.**
- 2.24.070 Library board—Removal from office.**

2.24.010 Library created.

There is hereby created a free public library known as the "Brier Public Library." (Ord. 366 §1(Exh. A)(part), 2009: Ord. 50.C §1(part), 2003. Formerly 2.72.010)

2.24.020 Library board—Created.

There is hereby created a library board consisting of six voting members, who shall be appointed by the mayor and confirmed by the city council. The members shall be residents of the city. (Ord. 366 §1(Exh. A)(part), 2009: Ord. 50.C §1(part), 2003. Formerly 2.72.020)

2.24.030 Library board—Terms of office.

A. The members of the library board shall initially be appointed for staggered terms as follows: three of the original members (Positions 1, 2 and 3) shall be appointed and confirmed for two-year terms, and three of the original members (Positions 4, 5 and 6) shall be appointed and confirmed for four-year terms. The date of initial appointment and confirmation was December 31, 2002. The terms for all members subsequently appointed upon the expiration of any term shall be four year:

B. Vacancies occurring before the expiration of any term shall be filled by appointment and confirmation and shall last for the unexpired term of the position being filled. (Ord. 366 §1(Exh. A)(part), 2009: Ord. 50.C §1(part), 2003. Formerly 2.72.030)

2.24.040 Library board—Organization.

A. Members of the library board shall meet and annually elect from the members a chair and a vice chair, and such other officers as may be determined by the board. The chair shall preside at all meetings. The vice chair shall perform this duty in the absence of the chair. A majority of the board shall not be required in order to conduct the discussions, advice, and recommendations of the board

B. The library board shall meet at the library at seven p.m. on the second Wednesday in the months of January, March, May, September and November

C. Robert's Rules of Order may be used as applicable to conduct meetings of the board

D. If the board determines that there is no business to be conducted, the meeting may be canceled. If a meeting is canceled, the city clerk shall be notified and the city clerk shall cause the notice of cancellation to be posted at the city's official posting places and give notice to the newspapers, radios and television stations who have requested notice pursuant to the Open Public Meetings Act, as codified in Chapter 42.30 RCW. (Ord. 366 §1(Exh. A)(part), 2009: Ord. 50.C §1(part), 2003. Formerly 2.72.040)

2.24.050 Library board—Powers and duties.

The board is advisory and makes recommendations to the mayor, city council, and Sno-Isle Library system to recommend the improvement of operating hours and special programs of the Brier Library; to recommend an annual budget; to make recommendations for facility improvements; and to assume other miscellaneous responsibilities related to the library that may be requested by the mayor or city council. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 50.C §1(part), 2003. Formerly 2.72.050)

2.24.060 Library board—Council liaison.

At the beginning of each year, the mayor pro tem shall appoint a member of the city council to serve as liaison to the library board to assist in communicating the advice and recommendations of the board to the mayor and city council. The liaison council member is a nonvoting representative of the board. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 50.C §1(part), 2003. Formerly 2.72.060)

2.24.070 Library board—Removal from office.

Members may be removed, by the mayor, for inefficiency, nonattendance or neglect of duty. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 50.C §1(part), 2003. Formerly 2.72.070)

Chapter 2.28
TRAVEL EXPENSE ADVANCEMENTS

Sections:

2.28.010 **General provisions.**

2.28.020 **Delinquency.**

2.28.010 **General provisions.**

Advance payment of lodging, meals, and other travel expenses may be made to any official, employee, or representative of the city pursuant to RCW 42.24.120; provided, that the amount of any advance payment shall not exceed the cost of lodging plus fifty United States dollars per day for meals and miscellaneous travel expenses; provided further, that any advance payments shall be made by check from a separately established revolving fund pursuant to RCW 42.24.130; provided further, that a separate bank account has been established for the separately established revolving fund; provided further, that on or before the tenth day after actually incurring reimbursable expenses, such officer, employee, or representative of the city shall submit to the city clerk a fully itemized travel expense voucher for all reimbursable items legally expended, which shall include actual and verifiable receipts for all reimbursable items, accompanied by the unexpended portion of such advance, if any, in accordance with RCW 42.24.150. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 214 §1, 1989. Formerly 2.76.010)

2.28.020 **Delinquency.**

In the event that any employee, official or representative of the city shall not pay within ten days of the date the expense is incurred, the city of Brier has a right to withhold any and all amounts payable or to become payable by the city to such officer, employee, or representative, up to the amount of such advance with interest at the rate of ten percent per annum, until such time as repayment or justification has been made pursuant to RCW 42.24.140. The city clerk shall keep accurate records of all advancements which shall specifically show the name of the employee, official or representative; the amounts advanced, the expected expenses to be incurred and basis for such expenses, complete and accurate records showing repayment and settlement within ten days of the date expenses are actually incurred. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 214 §3, 1989. Formerly 2.76.030)

Chapter 2.32
CREDIT CARD ISSUANCE

Sections:

2.32.010 Credit card issuance authority—General provisions.

2.32.010 Credit card issuance authority—General provisions.

A. The city clerk/treasurer shall implement and maintain a system for the distribution, authorization and control of credit cards issued to or for the benefit of the city and used by city officials and employees, in accordance with the following

1. As used in this section, "credit card" means a card or device issued under an arrangement pursuant to which the issuer gives to a card holder the privilege of obtaining credit from the issuer, including a debit card

2. Credit cards may be distributed to those city officials and employees who, in the opinion of the city clerk/treasurer, have job responsibilities which would cause their job performance to benefit by use of a credit card.

3. Credit cards may be used for miscellaneous and minor, ordinary, necessary, reasonable, and usual expenses of the city, including, without limitation, authorized travel, entertainment, and purchases of miscellaneous and minor supplies

4. The city clerk/treasurer shall have exclusive control and possession of all such charge cards as authorized by this chapter and shall control release, issuance and availability of such cards as reasonably necessary in order to prevent abuse or improper use. All cards shall be promptly returned to the city clerk/treasurer immediately upon request. The city clerk/treasurer may open accounts at appropriate financial institutions for purposes of such cards, and when deemed necessary in the city clerk/treasurer's sole judgment, close out immediately any such account solely by written notice signed by the clerk/treasurer.

5. The city clerk/treasurer shall set credit limits on each credit card issued; provided, that in no event shall such credit limit exceed two thousand dollars for any individual credit card nor shall the aggregate credit limits for all credit cards issued to or authorized for use by any one individual exceed two thousand dollars

6. No individual purchase on a credit card issued pursuant to this chapter shall exceed five hundred dollars

7. The city clerk/treasurer shall establish and implement a written procedure or policies for the payment of all credit card bills subject to the approval of the city council

8. The procedures for reimbursement in Section 2.08.030 shall apply to any use of a credit card for travel related expenses

9. Personal charges may not be made with a city credit card. Any charges which cannot be properly identified or which are not properly allowed, after being so determined by the city council, shall be paid promptly by the card user by check and, together with interest and all other charges made by the credit card company, shall constitute a prior lien against and give a right to the city to withhold all amounts payable or to become payable by the city to the card user, until paid in full

B. The city clerk is authorized, subject to the approval of city council, to adopt any additional procedures and policies necessary to implement the provisions of this section. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 235 §§1—4, 1991. Formerly 2.80.010—2.80.040)

Chapter 2.36
REPORTING IMPROPER GOVERNMENTAL ACTION AND PROTECTING EMPLOYEES
AGAINST RETALIATION

Sections:

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

2.36.010 Purpose.

It is the policy of the city (A) to encourage reporting by its employees of improper governmental action taken by city officers or employees; and (B) to protect city employees who have reported improper actions in accordance with the city's policies and procedure(s). (Ord. 366 §1(Exh. A)(part), 2009: Ord. 263 §2, 1992. Formerly 2.84.010)

2.36.020 Definitions.

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

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

B. "Employee" means any person appointed to any position with the city whether part-time or full-time, temporary or contract hire

C. "Improper governmental action" means any action by a city officer or employee

1. 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

2. That is:

- a. In violation of any federal, state, or local law or rule
- b. An abuse of authority,
- c. Of substantial and specific danger to the public health or safety, or
- d. A gross waste of public funds.

3. "Improper governmental action" does not include proper 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, reprimands or any other personnel action taken under authority of state law

D. "Retaliatory action" means any adverse change in a city employee's employment status or in the terms and conditions of a city employee's employment based on the reporting by the employee of improper governmental actions. (Ord. 366 §1(Exh. A)(part), 2009: Ord. 263 § 3, 992. Formerly 2.84.020)

2.36.030 Procedures for reporting.

A. City employees who become aware of improper governmental actions should raise the issue first with their supervisor. If requested by the supervisor, the employee shall submit a written report to the

supervisor, or to some person designated by the supervisor, 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 clerk/treasurer or such other person as may be designated by the 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 investigating the improper action

C. The supervisor, the city clerk/treasurer or the mayor's designee, as the case may be, shall take prompt action to assist the city in properly investigating the report of improper governmental action. City officers and employees involved in the investigation shall keep the identity of reporting employees confidential to the extent reasonably 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 given 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 employees may report information about improper governmental action directly to the appropriate government agency responsible for investigating the improper action if the employee reasonably believes that an adequate investigation was not undertaken by the city to determine whether an improper governmental action occurred, or that insufficient action has been taken by the city to address the improper governmental action or that for other reasons the improper governmental action is likely to recur.

E. City employees who fail to make a good-faith attempt to follow the city procedures in reporting improper governmental action shall not receive the protections provided by the city in these procedures. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 263 §4, 1992. Formerly 2.36.030)

2.36.040 Protection against retaliatory actions.

A. City officials and employees are prohibited from taking retaliatory action against an 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 clerk/treasurer or the mayor's designee. City officials and supervisors shall take appropriate action to investigate and address complaints of retaliation.

C. If the employee's supervisor, the city clerk/treasurer, or the mayor's designee, as the case may be, does not or will not apparently be able to satisfactorily resolve an employee's complaint that he or she has been retaliated against in violation of this chapter within thirty days of the occurrence of the alleged retaliatory action, the employee may obtain protection under this chapter and pursuant to state law by providing a written notice to the city council that

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

D. City employees shall provide a copy of their written charge to the city clerk/treasurer no later than thirty days after the occurrence of the alleged retaliatory action. The city shall respond within thirty days to the charge of retaliatory action

E. After receiving the response of the city or thirty days after the delivery of the written notice to the city clerk/treasurer, the city employee may request a hearing to establish that a retaliatory action occurred and to obtain appropriate relief provided by law. An employee seeking a hearing shall deliver the request

for such a hearing to the city clerk/treasurer within the earlier of either fifteen days of delivery of the city's response to the charge of retaliatory action or forty-five days of delivery of the written notice of the alleged retaliatory action given to the city clerk/treasurer

F. Upon receipt of request for hearing, the city shall apply within five working days to the environmental hearings office for an adjudicative proceeding before an administrative law judge or environmental hearings officer or make arrangements for appointment of a private professional quasi-judicial hearings officer

G. The city will consider any recommendation that the retaliatory individual should be suspended, with or without pay, or dismissed provided by the quasi-judicial hearings officer, if the employee has requested a hearing before such an officer or the administrative law judge. (Ord. 366 §1(Ex A)(part), 2009: Ord. 263 §5, 1992. Formerly 2.84.040)

2.36.050 Responsibilities.

The mayor or the mayor's designee is responsible for implementing the city policies and procedures (1) for reporting improper governmental action and (2) for protecting employees against retaliatory actions. This includes ensuring that this policy and the 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 chapter and these procedures may result in appropriate disciplinary action, up to and including dismissal. (Ord. 366 §1(Exh. A)(part), 2009: Ord. 263 §6, 1992. Formerly 2.84.050)

Chapter 2.40
PUBLIC RECORDS

Sections:

- 2.40.010 Authority and purpose.**
- 2.40.020 City of Brier description—Contact information—Public records officer.**
- 2.40.030 Availability of public records.**
- 2.40.040 Processing of public records requests—General.**
- 2.40.050 Exemptions.**
- 2.40.060 Costs of providing copies of public records.**
- 2.40.070 Review of denials of public records.**

2.40.010 Authority and purpose.

A. RCW 42.56.070(1) requires the city to make available for inspection and copying nonexempt public records in accordance with published rules. The Public Records Disclosure Act defines "public record" to include any "writing containing information relatg to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained" by the agency. RCW 42.56.070(2) requires the city to set forth for informational purposes every law, in addition to the Act, that exempts or prohibits the disclosure of public records held by the city

B. The purpose of this chapter is to establish the procedures that the city will follow to provide full access to public records. This chapter provides information to persons wishing to request access to public records of the city and establish processes for both requestors and city staff that are designed to best assist members of the public in obtaining such access

C. The purpose of the Act is to provide the public full access to information concerning the conduct of government, mindful of individuals' privacy rights and the desirability of the efficient administration of government. The Act and this chapter will be interpreted in favor of disclosure. In carrying out its responsibilities under the Act, the city will be guided by the provisions of the Act describing its purposes and interpretation. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 271 §1, 1994. Formerly 2.88.010)

2.40.020 City of Brier description—Contact information—Public records officer.

A. The city is a municipal corporation of the state of Washington. The City Hall is located at 2901 228th Street S.W., Brier, Washington

B. Any person wishing to request access to public records of the city, or seeking assistance in making such a request should contact the city clerk/treasurer, who serves as the public records officer of the city
City of Brier

Attention: City Clerk/Treasure

2901 228th Street S.W.
Brier, Washington 98036

Telephone: (425) 775-5440

Fax: (425) 672-9025

Information is also available at the city website at <http://www.ci.brier.wa.us>

C. The public records officer will oversee compliance with the Act but another city staff member may process the request. Therefore, in these rules, the "public records officer" includes the designee. The public records officer and the city will provide the fullest assistance to requestors; create and maintain for use by the public and city officials an index to public records of the city; ensure that public records are protected from damage or disorganization; and prevent fulfilling public records requests from causing excessive interference with essential functions of the city. (Ord. 366 §1(Exh. A)(part), 2009)

2.40.030 Availability of public records.

A. Public records are available for inspection and copying during normal business hours of the city, which are Monday through Friday, eight a.m. to five p.m., excluding legal holidays. Records must be inspected at City Hall.

B. Due to the small size of city staff, maintaining an index of public records as provided for in RCW 42.56.070(3) would be unduly burdensome. The city, however, maintains indexes of agreements, resolutions, and ordinances. The indexes may be accessed at City Hall, by requesting access to them from the public records officer.

C. The city will maintain its records in a reasonably organized manner. The city will take reasonable actions to protect records from damage and disorganization. A requestor shall not take city records from the City Hall without the permission of the public records officer. A variety of records are available on the city website at <http://www.ci.brier.wa.us>. Requestors are encouraged to view the documents available on the website prior to submitting a records request.

D. Any person wishing to inspect or copy public records of the city should make the request in writing on the city request form, or by letter, fax or e-mail addressed to the public records officer and including the following information:

1. Name of requestor;
2. Address of requestor;
3. Other contact information, including telephone number and any e-mail address;
4. Identification of the public records adequate for the public records officer to locate the records; and
5. The date and time of day of the request.

E. If the requestor wishes to have copies of the records made instead of simply inspecting them, he or she should so indicate and make arrangements to pay for copies of the records or a deposit. Pursuant to Section 2.40.060, standard photocopies will be provided at fifteen cents per page.

F. The public records officer may accept requests for public records that contain the above information by telephone or in person. If the public records officer accepts such a request, he or she will confirm receipt of the information and the substance of the request in writing. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 271 §5, 1994. Formerly 2.88.050)

2.40.040 Processing of public records requests—General.

A. The city is charged by the Act with adopting rules which provide for how it will provide full access to public records, protect records from damage or disorganization, prevent excessive interference with other essential functions of the agency, provide fullest assistance to requestors, and provide the most timely possible action on public records requests. The public records officer will process requests in the order allowing the most requests to be processed in the most efficient manner.

B. Within five business days of receipt of the request, the public records officer will do one or more of the following

1. Make the records available for inspection or copying
2. If copies are requested and payment of the copies is made at the time of the request or terms of payment are agreed upon, send the copies to the requestor.
3. Provide a reasonable estimate of when records will be available; c
4. If the request is unclear or does not sufficiently identify the requested records, request clarification from the requestor. Such clarification may be requested and provided by telephone. The public records officer or designee may revise the estimate of when records will be available; c
5. Deny the request.

C. If the city does not respond in writing within five business days of receipt of the request for disclosure, the requestor should consider contacting the public records officer to determine the reason for the failure to respond

D. If the requested records contain information that may affect rights of others and may be exempt from disclosure, the public records officer may, prior to providing the records, give notice to such others whose rights may be affected by the disclosure. Such notice should be given so as to make it possible for those other persons to contact the requestor and ask him or her to revise the request, or, if necessary, seek an order from a court to prevent or limit the disclosure. The notice to the affected persons will include a copy of the request.

E. Some records are exempt from disclosure, in whole or in part. If the city believes that a record is exempt from disclosure and should be withheld, the public records officer will state the specific exemption and provide a brief explanation of why the record or a portion of the record is being withheld. If only a portion of a record is exempt from disclosure, but the remainder is not exempt, the public records officer will redact the exempt portions, provide the nonexempt portions, and indicate to the requestor why portions of the record are being redacted.

F. Consistent with other demands, the city shall promptly provide space to inspect public records. No member of the public may remove a document from the viewing area or disassemble or alter any document. The requestor shall indicate which document he or she wishes the agency to copy

G. The requestor must claim or review the assembled records within thirty days of the city notification to him or her that the records are available for inspection or copying. The agency will notify the requestor in writing of this requirement and inform the requestor that he or she should contact the city to make arrangements to claim or review the records. If the requestor or a representative of the requestor fails to claim or review the records within the thirty-day period or make other arrangements, the city may close the request and re-file the assembled records. Other public records requests can be processed ahead of a subsequent request by the same person for the same or almost identical records, which can be processed as a new request.

H. After inspection is complete, the public records officer shall make the requested copies or arrange for copying.

I. When the request is for a large number of records, the public records officer will provide access for inspection and copying in installments, if he or she reasonably determines that it would be practical to provide the records in that way. If, within thirty days, the requestor fails to inspect the entire set of records or one or more of the installments, the public records officer may stop searching for the remaining records and close the request

J. When the inspection of the requested records is complete and all requested copies are provided, the

public records officer will indicate that the city has completed a diligent search for the requested records and made any located nonexempt records available for inspection

K. When the requestor either withdraws the request or fails to fulfill his or her obligations to inspect the records or pay the deposit or final payment for the requested copies, the public records officer will close the request and indicate to the requestor that the city has closed the request

L. If, after the city has informed the requestor that it has provided all available records, the city becomes aware of additional responsive documents existing at the time of the request, it will promptly inform the requestor of the additional documents and provide them on an expedited basis. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 271 §6, 1994. Formerly 2.88.060)

2.40.050 Exemptions.

A. The Act provides that a number of types of public records are exempt from public inspection and copying. Some exemptions under the Act that may apply to public records are as follows:

1. Preliminary drafts, notes, recommendations and intra-agency memoranda in which opinions are expressed or policies formulated or recommended, except if the record is cited in the city's official records;
2. Personal information in files maintained for city employees to the extent that disclosure would violate their privacy. Privacy is the disclosure of information that (a) would be highly offensive to a reasonable person and (b) is not of legitimate concern to the public;
3. Specific intelligence information and specific investigative records compiled by investigative, law enforcement, and penology agencies, the nondisclosure of which is essential to law enforcement or for the protection of any person's right to privacy;
4. Information revealing the identity of persons who are witnesses to or victims of crime or who file complaints with investigative, law enforcement or penology agencies, if disclosure would endanger any person's life, physical safety or property. However, if at the time a complaint is filed the complainant, victim or witness indicates a desire for disclosure or nondisclosure, such desire shall govern;
5. Applications for public employment, including the names of applicants, resumes and other related materials submitted with respect to an applicant;
6. Valuable formulae, designs, drawings, computer source code or object code, and research data obtained by the city within five years of the request for disclosure when disclosure would produce private gain and public loss;
7. Records which are relevant to a controversy to which the city is a party but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts or, even if available, could constitute a waiver of attorney-client privilege or disclosure of attorney work product;
8. The residential addresses and residential telephone numbers of employees or volunteers of the city which are held by the city in personnel records, employment or volunteer rosters, or mailing lists of employees or volunteers;
9. The residential addresses and residential telephone numbers of the customers of the city's utilities contained in the records or lists held by the city;

In addition, documents are exempt from disclosure if any other statute exempts or prohibits disclosure. Requestors should be aware that some public records are protected by the attorney-client privilege of RCW 5.60.060(2)(a).

B. The city is prohibited by statute from disclosing lists of individuals for commercial purposes. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 271 §8, 1994. Formerly 2.88.080)

2.40.060 Costs of providing copies of public records.

A. There is no fee for inspecting public records. A requestor may obtain standard black and white photocopies for fifteen cents per page and, for color copies, the actual amount charged by the vendor providing color copies to the city

B. Before beginning to make the copies, the public records officer may require a deposit of up to ten percent of the estimated costs of copying all the records selected by the requestor. The public records officer may also require the payment of the remainder of the copying costs before providing all the records, or the payment of the costs of copying an installment before providing that installment. The city will not charge sales tax when it makes copies of public records

C. For actual staff time spent on making photocopies for the requestor, in excess of an hour per request, the city will charge the requestor, in addition to the per page photocopy charge, for such actual staff time in excess of one hour at the hourly rate, without benefits, paid to the staff person

D. Where, in the judgment of the public records officer, it is reasonable to send a request to an off-site vendor for copying, the city will charge the requestor

1. The actual amount charged by the off-site vendor to the city for copies made; and
2. The actual time spent going to or coming from the off-site vendor, for purposes of processing the request, on the basis of the hourly rate paid to the staff member going to or coming from the off-site vendor.

E. The cost of electronic copies of records shall be forty cents for information on a floppy disk and on a CD-ROM.

F. The city shall also charge actual costs of mailing, including the cost of the shipping container

G. Payment shall be made by cash, check, or money order to the city. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 271 §9, 1994. Formerly 2.88.090)

2.40.070 Review of denials of public records.

A. Any person who objects to the initial denial or partial denial of a records request may petition in writing (including e-mail) to the public records officer for a review of that decision. The petition shall include a copy of or reasonably identify the written statement by the public records officer denying the request.

B. The public records officer shall promptly provide the petition and any other relevant information to the city attorney. The city attorney will immediately consider the petition and either affirm or reverse the denial within two business days following the city's receipt of the petition, or within such other time as city and the requestor mutually agree to

C. Any person may obtain court 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 the internal administrative appeal. (Ord. 366 §1(Exh. A)(part), 2009)

Chapter 2.44
DEFENSE AND INDEMNIFICATION OF CITY OFFICERS AND EMPLOYEES

Sections:

- 2.44.010** **Definitions.**
- 2.44.020** **Legal representation.**
- 2.44.030** **Exclusions—Determination of representation.**
- 2.44.040** **Payment of claims—Conditions of representation.**
- 2.44.050** **Refusal to cooperate.**
- 2.44.060** **Conflict with provision of insurance policies.**
- 2.44.070** **Pending claims.**
- 2.44.080** **Union contracts.**

2.44.010 **Definitions.**

For the purpose of this chapter, the following words shall have the following meanings unless the context indicates otherwise

- A. "Claim" means a claim or lawsuit
- B. "Employee" means any person who is or has been employed in the service of the city
- C. "Official" means any person who is or has served as an elected city official and any person who is serving or has served as an appointed member of any city board, commission, agency or committee. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 345 §1 (part), 2007. Formerly 2.92.010)

2.44.020 **Legal representation.**

Subject to the conditions and requirements of this chapter, the city shall provide to an official or employee such legal representation as may be reasonably necessary to defend any claims filed against the official or employee, arising out of the performance, purported performance or failure of performance in good faith of duties for or employment with the city. This legal representation shall be a condition of employment with the city and shall be provided by the city attorney or the city attorney's designee, except as may be provided under an insurance policy or self-insurance or joint insurance program. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 345 §1 (part), 2007. Formerly 2.92.020)

2.44.030 **Exclusions—Determination of representation.**

This chapter shall not apply to dishonest, fraudulent, criminal or malicious acts, to any act outside the scope of service or employment, to any lawsuit brought by or on behalf of the city or to any accident, occurrence or circumstance in which the city or an official or employee is insured against loss or damages under the terms of any insurance policy or self-insurance or joint insurance program

The city attorney shall determine whether an official or employee was performing duties for or employment with the city in good faith, and whether an official or employee committed a dishonest, fraudulent, criminal or malicious act. The official or employee may appeal such determination to the city council. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 345 §1 (part), 2007. Formerly 2.92.030)

2.44.040 **Payment of claims—Conditions of representation.**

At the request of an official or employee, the city attorney or the city attorney's designee shall investigate and defend a claim which is covered by this chapter. If that claim is deemed by the city attorney or the city attorney's designee to be a proper claim against the official or employee, the claim shall be paid by the city as long as the following requirements are met

A. As soon as practicable after receipt of notice of a claim, the official or employee shall give the city attorney written notice of the claim, specifying names of the officials or employees involved, the date, time, place and circumstances surrounding the incident or conduct giving rise to the claim, the names and addresses of all persons allegedly injured, the names and addresses of owners of the allegedly damaged property, and the names and addresses of all witnesses

B. The official or employee shall cooperate with the city attorney or the city attorney's designee and, upon request, shall assist in making settlements of any lawsuit and in enforcing any claim for subrogation against any person or organizations that may be liable to the city because of damages or losses arising from the incident or conduct; and

C. The official or employee shall attend interviews, depositions, hearings and trials as requested, and assist in securing and giving evidence and obtaining the attendance of witnesses

If the city attorney determines that a claim against an official or employee is not covered by this chapter and a court of competent jurisdiction in a final judgment finds that the claim is covered by this chapter, the city shall pay the claim and reasonable attorney's fees. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 345 §1 (part), 2007. Formerly 2.92.040)

2.44.050 Refusal to cooperate.

If any official or employee fails or refuses to meet the requirements of Section 2.44.040 or elects to provide his or her own representation on any claim, this chapter shall be inapplicable and of no force and effect with respect to that claim. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 345 §1 (part), 2007. Formerly 2.92.050)

2.44.060 Conflict with provision of insurance policies.

Nothing contained in this chapter shall be constructed to modify or amend any provision of an insurance policy or any coverage through a self-insurance or joint insurance program. If there is a conflict between this chapter and the provisions of any such policies or coverage, the provisions of any such policies or coverage shall control. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 345 §1 (part), 2007. Formerly 2.92.060)

2.44.070 Pending claims.

This chapter shall apply to any pending claim against an official or employee and to any claim hereafter filed irrespective of the date of the events or circumstances giving rise to the claim. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 345 §1 (part), 2007. Formerly 2.92.070)

2.44.080 Union contracts.

If a bargaining unit contract covers any of the terms and conditions of this chapter, all employees under the contract shall be governed by the provisions of the contract and this chapter, and the provisions of the contract shall control. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 345 §1 (part), 2007. Formerly 2.92.080)

Chapter 2.48
TRAFFIC VIOLATIONS BUREAU

Sections:

- 2.48.010** **Established.**
- 2.48.020** **Authority—Jurisdiction.**
- 2.48.030** **Procedures.**
- 2.48.040** **Disposition of fines and forfeitures.**
- 2.48.050** **Appointment of clerks.**

2.48.010 **Established.**

There is established pursuant to Section 105 of Substitute Senate Bill No. 4430, Chapter No. 258, Laws of the State of Washington of 1984, a traffic violations bureau for the city, to be known as the city traffic violations bureau. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 157 §1, 1984)

2.48.020 **Authority—Jurisdiction.**

A. The traffic violations bureau established in this chapter shall operate under the supervision of the Snohomish County south district court, to assist the court in processing traffic case:

B. This chapter shall confer authority upon the court in conjunction with jurisdiction and authority otherwise available to allow any and all traffic offenses and infractions to be processed through the city traffic violations bureau.

C. Any traffic violation or traffic offense made such by virtue of a city enactment shall be designated a traffic offense, violation, or infraction which may be processed through the city traffic violations bureau. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 157 §2, 1984)

2.48.030 **Procedures.**

A. The traffic violations bureau shall be in conformance with Chapter 46.63 RCW and the Court Improvement Act of 1984, Title 3 RCW

B. The traffic violations bureau so established shall receive the posting of bail for specified offenses, and upon written order of the Snohomish County south district court, accept forfeiture or bail and payment of penalties.

C. Upon accepting the prescribed bail, the traffic violations bureau shall issue a receipt therefor for the bail to the alleged violator acknowledging the posting thereof of the bail and informing the accused of legal consequences of bail forfeiture

D. Any person charged with any criminal traffic offense within the authority of the traffic violations bureau may, upon signing a written appearance, a written plea of guilty, and a written waiver of trial, pay to the traffic violations bureau the fine established for the offense charged and costs and this shall have the same effect as a court conviction. (Ord. 366 §1(Exh. A)(part), 2009; Ord. 157 §3, 1984)

2.48.040 **Disposition of fines and forfeitures.**

All penalties and forfeitures paid to the city traffic violations bureau shall be placed in the city general fund; provided, however, bail money and/or receipts that are for purposes other than forfeitures or payment of costs, fines, violations and penalties shall be, as otherwise required by rule of the south district court, forwarded to said court; provided, the bureau shall transfer daily to the clerk of the proper department of

the court all bail posted for offenses where forfeiture is not authorized b the court order, as well as copies of all receipts. (Ord. 366 §1(Exh. A)(part), 2009: Ord. 157 §4, 1984

2.48.050 Appointment of clerks.

The mayor shall appoint a traffic violations bureau clerk or clerks who shall perform all duties assigned to the traffic violations bureau; provided, however, such appointment may be filled by a personnel position previously established by including in sad position the duties and functions of the traffic violations clerk. (Ord. 366 §1(Exh. A)(part), 2009: Ord. 157 §5, 1984

Endnotes

1 (Popup - Footnote)

Prior ordinance history: Ords. 3.K, 3.L, 3.N, 3.P, 3.T, 3.Z, 3.BB, 4.A, 5.E, 92, 98, 271.A, 271.B, 328 329 and 344.