

TITLE 2**Chapters:**

- 2.04 Administrative Code**
- 2.08 Emergency Operations**
- 2.10 Utility Advisory Committee**
- 2.11 Americans with Disabilities Act Citizens Review Committee**
- 2.12 Library Board**
- 2.13 Housing and Community Development Advisory Committee**
- 2.14 Economic Development Committee**
- 2.15 Lodging Tax Advisory Committee**
- 2.16 Planning Commission**
- 2.17 Arts Commission**
- 2.18 Parks and Recreation Commission**
- 2.19 Management of the Municipal Parking Areas**
- 2.20 Code Enforcement Board**
- 2.24 Bonds for Officers and Employees**
- 2.26 Conduct of Public Officials and Public Employees-Code of Ethics**
- 2.28 Personnel Plan**
- 2.30 Legal Actions Brought Against City Officials and Employees**
- 2.31 Fingerprinting**
- 2.32 Salaries**
- 2.44 Firemen's Pension Board**
- 2.48 Police Relief and Pension Board**
- 2.49 Travel Expense**
- 2.50 Advance Travel Expense Revolving Fund**
- 2.51 Gun Permit Change Fund**
- 2.54 Environmental Review Committee**
- 2.56 Public Information Program**
- 2.58 Smoking and the Use of Tobacco-Related Products in the Work Environment**
- 2.60 Sister City Relationships**

Chapter 2.04 - Administrative Code**Sections:**

- 2.04.010 Purpose**
- 2.04.020 Charter Defined**
- 2.04.030 City Manager-Responsibilities**
- 2.04.040 City Manager-Duties**
- 2.04.050 City Manager-Administrative Supervision**
- 2.04.060 City Manager-Administrative Rules**
- 2.04.070 City Manager-Staff**
- 2.04.080 City Manager-Reports to the Council**
- 2.04.090 City Manager-Absence or Disability**
- 2.04.100 Groups, Departments, and Officers Established**
- 2.04.110 Boards, Commissions and Committees**
- 2.04.115 Ad Hoc Citizens Committees**
- 2.04.120 Procedure for Filling Vacancies on Boards, Commissions, and Committees
(Resolution No. 36-96)**
- 2.04.125 Selection Process for Council Appointments and All Other Appointments not
Covered by Resolution No. 36-96**
- 2.04.127 Deputy City Manager for Community and Development Services**
- 2.04.128 Assistant City Manager**
- 2.04.130 City Clerk**
- 2.04.140 City Attorney**
- 2.04.150 Administrative Services Group**
- 2.04.155 Administrative Services Department**

- 2.04.160 Community and Development Services Group**
- 2.04.161 Parks and Recreation Department**
- 2.04.165 Utility and Public Works Group**
- 2.04.170 Public Works Department**
- 2.04.180 Energy Services Department**
- 2.04.200 Public Safety Group**
- 2.04.205 Fire and Emergency Services Department**
- 2.04.210 Police Services Department**
- 2.04.220 Benton County Emergency Services**
- 2.04.260 Severability**
- 2.04.270 Interpretation**

2.04.010 Purpose

This chapter is adopted pursuant to Section 2.07(11) of the Charter to establish an organization to administer the functions of the City under the charter and is a part of the administrative code. (Ord. 125 1.01).

2.04.020 Charter Defined

"Charter" when used in this chapter means the Richland City Charter. (Ord. 125 1.02).

2.04.030 City Manager - Responsibilities

The City Manager shall be the chief administrative officer of the general City government and shall supervise and be responsible for the effective management of the administrative and financial affairs of the City and shall supervise all City departments and offices, except as is otherwise provided by the Charter, general laws or ordinances. He shall be responsible for the proper execution of the policies set by the City Council and the enforcement of all laws and ordinances. He shall be responsible to the City Council for the efficient operation of all City departments and offices under his jurisdiction, and, as City comptroller, he shall likewise be responsible to the City Council for the economical conduct and operation of all City departments and offices under his jurisdiction. (Ord. 125 2.01: Ord. 62-74).

2.04.040 City Manager - Duties

The City Manager shall:

- A. Keep the council informed of the conditions and needs of the city;
- B. Make such reports and recommendations as he may deem desirable or as may be requested of him by the council;
- C. Prepare and submit to the council the proposed annual preliminary budget for the city;
- D. Prepare and submit annually to the council a five (5)-year capital expense budget;
- E. As comptroller, control City expenditures so that actual expenditures do not exceed amounts available for expenditures;
- F. Supervise the purchase, lease, rental, use, maintenance and assignment of City property required by the various departments and offices of the general government of the city;
- G. Appoint, remove, suspend or discipline all officers and employees of the City under his jurisdiction, subject to the personnel rules and civil service provisions of the charter and ordinances; provided that he may, at his discretion, authorize the head of a department or office responsible to him to appoint, suspend, discipline or remove subordinates in such department or office;
- H. Fix and establish the number of employees in the various City departments and offices under his jurisdiction and determine their duties and compensation, subject to the pay plan and appropriations adopted by the City Council;
- I. Exercise all powers conferred by law upon the City but not specifically conferred upon any official;
- J. Negotiate and sign, on behalf of the city, contracts duly authorized by the council or by ordinance and administer the provisions of such contracts;
- K. Take or cause to be taken or recommend to the City Council in the proper case all and every action necessary to protect the best interests and promote the welfare of the city;
- L. Perform such other duties and have and exercise such other powers as may be prescribed by law. (Ord. 125 2.02: Ord. 62-74).

2.04.050 City Manager - Administrative Supervision

The City Manager, in exercising general control over the administrative affairs of the general government of the city, shall deal insofar as it is possible through the administrative officers of the general government designated by this code, and except as otherwise provided by Charter or general law, all such officers shall be directly and exclusively responsible to him, and to no other person or body, for the efficient or economical conduct of their respective departments and offices. (Ord. 125 2.03).

2.04.060 City Manager - Administrative Rules

The City Manager is authorized to issue rules or administrative regulations not inconsistent with general law, the Charter or ordinances of the city, outlining the general procedures for the administration of City activities under his jurisdiction, and he may provide for a system of administrative regulations to be issued by the heads of the various departments and offices of the city's general government. (Ord. 125 2.04).

2.04.070 City Manager - Staff

The City Manager may, within the limits of the annual budget adopted by the City Council, appoint administrative assistants or designate employees of the City as such whose duties shall be to assist the City Manager in such a manner as he may designate and to conduct studies and research into the most advantageous administrative practices and other matters affecting the city, its government and its administration, the application of which will improve the administration of the City government. The City Manager may, within the limits of the annual budget adopted by the City Council, determine appropriate staffing levels for his office and for the other departments and divisions of the city. (Ord. 125 2.05: Ord. 40-99).

2.04.080 City Manager - Reports to the Council

The City Manager shall prepare and submit to the City Council annually, at the close of each fiscal year, a complete report of the city's administrative activities and finances for the preceding year, which report shall be made available for public distribution. He shall prepare and present such other reports as the City Council may require or as he deems advisable. The City Manager, as part of the adoption of the annual budget, shall provide to City Council a current organizational chart, said chart to be maintained by the City Clerk's office and made available to the public. Any significant modifications to the organizational structure shall be adopted by the City Council by resolution and incorporated into the organizational chart by the City Clerk within (30) days of council's resolution. (Ord. 125 2.06: Ord. 40-99).

2.04.090 City Manager - Absence or Disability

Whenever the City Manager is unable to perform the duties of his office because of a temporary disability or of his absence from the City for not more than fifteen (15) calendar days, he may designate some other City official to serve in his place. The official so designated shall supervise and be responsible for the effective management of the administrative affairs of the city, but shall have only such powers as are necessary to deal with the administrative affairs of the City until the City Manager's recovery or return, not including, however, the power to appoint and remove heads of departments or subordinates. Whenever the City Manager's disability appears to be of a continuing nature or his absence exceeds fifteen (15) calendar days, the City Council shall appoint a qualified administrative officer to perform the duties of the office until the manager returns to duty. (Ord. 125: Ord. 31-03).

2.04.100 Groups, Departments, and Officers Established

Administrative services of the City shall be organized into departments and officers whose titles are created and established as follows:

Department/Office

Administrative Officer

City Manager's Office.....	City Manager
City Clerk's Office	City Clerk
City Attorney's Office	City Attorney
Administrative Services Group	Administrative Services Director
Administrative Services.....	Administrative Services Director
Community and Development Services Group	Deputy City Manager for Community and Development Services
Parks and Recreation Department	Parks and Recreation Director

Department/Office

Administrative Officer

Utilities and Public Works Group	City Manager Designee
Public Works Department	Public Works Director
Energy Services Department.....	Energy Services Director
Public Safety Group	City Manager Designee
Fire and Emergency Services Department.....	Fire and Emergency Services Director
Police Services Department	Police Services Director
Benton County Emergency Services Department .	Police Services Director

(Ord. 125 3:01: Ord. 444: Ord. 751: Ord. 59-75: Ord. 105-76: Ord. 1-78: Ord. 8-78: Ord. 40-82: Ord. 35-85: Ord. 55-93: Ord. 40-99: Ord. 31-03).

2.04.110 Boards, Commissions and Committees

There shall be the following boards, commissions and committees: planning commission, personnel committee, library board, firemen's pension board, board of trustees of the relief and pension fund of the police department, board of adjustment and such other boards, commissions and committees as have been or are hereafter established by ordinance or by general laws. Each board, commission or committee shall be so organized and shall have such powers as are conferred and such duties as are required by general laws, the Charter and ordinances. Whenever possible, the administrative officer of the department or offices most closely connected with the activity of a board, commission or committee shall serve as secretary of that board, commission or committee.

- A. Applicability. The following subsections B-F under this Section 2.04.110 shall apply to the following Committees and Commissions unless otherwise noted: Utility Advisory Committee, the Economic Development Committee, the Planning Commission, the Parks and Recreation Commission, the Board of Adjustment and the Housing and Community Development Advisory Committee.
- B. Liaisons. Commissions and Committees may appoint non-voting liaisons to other Commissions and Committees. Liaisons shall not be members of the Commission or Committee to which they are appointed and shall fulfill the role of facilitation and transfer of information between the respective Committee and Commission.
- C. Membership Limitations. A Commission or Committee member is limited to membership on two Commissions or Committee, including Ad Hoc or temporary committees in existence for a period exceeding six months.
- D. Term Limits. All Commission or Committee members including Personnel Committee, Lodging Tax Advisory Committee and Americans with Disabilities Act Review Committee shall serve no more than twelve consecutive years on the same Commission or Committee and shall be residents of the City, except for youth members of the Parks and Recreation Commission, who shall be residents of the Richland School District, and members of the Lodging Tax Advisory Committee and Economic Development Committee who shall be corporate citizens of Richland. The Council may waive this limitation for any member of any Board, Commission or Committee for one-term.
- E. Removal. A Commission or Committee member shall be removed upon absences from three consecutive regular meetings or four meetings within a twelve-month period. (Ord. 125: Ord. 40-98: Ord. 7-00: Ord. 14-03: Ord. 33-04: Ord. 38-05: Ord. 04-07: Ord. 08-07).

2.04.115 Ad Hoc Citizens Committees

An ad hoc citizens committee may be constituted upon the motion of the City Council.

- A. At the time of passing the motion establishing the committee, the following shall be made a part of the motion:
 - 1. A written statement of purpose for the committee.
 - 2. A written description of recommendations which the Council expects from the committee.
 - 3. The specific due date of material and recommendation back to the Council.
 - 4. An estimated date of completion of the committee assignment.
 - 5. The number of members that shall be on the committee and a statement of qualifications required of committee members.
 - 6. If special circumstances warrant the inclusion of one (1) or more council members as voting members of the committee, the motion shall provide justification for so doing.

- B. Other applicable rules.
1. The Council Assignments Committee must provide oral or written statements to nominated members of the ad hoc committee relating the purpose of the committee, a description and due date of recommendations back to the Council and the anticipated date of completion of the committee assignment.
 2. Ad hoc committee members shall normally be nominated by the Council Assignments Committee based on recommendations from the members of the City Council. Appointment of ad hoc committee members shall normally be by majority vote of the City Council. However, the motion may specify that the Council Assignments Committee shall make the appointments upon recommendation of council members.
 3. The ad hoc committee shall appoint a chairperson, vice chairperson and other officers as they see fit from the membership of the committee.
 4. The Council Assignments Committee may normally recommend to City Council assignment of one (1) or more council members to act as nonvoting liaisons (class A) unless the motion includes council members as active participants. However, the motion may specify that the Assignments Committee make the liaison assignment.
 5. City staff shall provide assistance to the committee as appropriate.
 6. A quorum of the ad hoc committee must be present to conduct business. A quorum shall consist of the lowest number of members of the committee that exceeds one-half the stated number of members of the committee.
 7. Unless otherwise directed by City Council, formal minutes need not be kept except for formal motions.
 8. Written reports issued by the ad hoc committee activities shall be approved by majority vote of the committee and signed or initialed by the ad hoc committee chairperson. (Ord. 30-91).

2.04.120 Procedure for Filling Vacancies on Boards, Commissions, and Committees

- A. Eight (8) weeks prior to the expiration of a term, the City Clerk's office corresponds with member whose term is due to expire, so informing them. The notice outlines the appointment procedure and invites the incumbent to re-apply for the position if they so desire.
- B. City Clerk's office circulates an advertising fact sheet with information regarding the board, commission or committee and the application and appointment process. The fact sheet is issued to news media with copies to City Council, board/commission chairperson, staff liaison and City Manager and will be posted on the city's public reader board and/or other City electronics media on a space-available basis. Distribution will also include the Richland library and outside agencies as appropriate.
- C. Applications will be accepted for a two (2)-week period. Applications will be reviewed for a one (1)-week period by the City Clerk's office for accuracy, completeness and compliance with appointment criteria.
- D. Upon completion of the review by the City Clerk's office, all applications and any accompanying documentation submitted by the applicants shall be forwarded to the board, commission or committee chairperson and the council liaison for a period not less than two (2) weeks. The City Clerk's office shall include provision for identification by the board, commission or committee chairperson and council liaison of the individual(s) they wish to be recommended to the City Council for appointment.
- E. Upon receipt of the board, commission or committee chairperson and council liaison's recommendations, the City Clerk's office shall prepare a summary of the applications to City Council to include the following:
1. Date of expiration of term;
 2. Listing of applications with documentation attached; and,
 3. Notification of recommendations of board, commission or committee chairperson and council liaison.
- F. The City Clerk shall place the appointment on the agenda at the next regular City Council meeting. The council shall elect an applicant from among all applicants by open, written ballot. An affirmative vote by a majority of those present at the meeting shall signify appointment.
- G. The elected individual's term shall be effective upon the expiration of the term of the preceding incumbent. In the event the appointment is not made until after the expiration of the term of the preceding incumbent, the appointment shall be effective immediately.

- H. In the event the board, commission or committee vacancy is for a reason other than an expiration of term, the process for filling that vacancy shall be consistent with steps B through G above. (Resol. 36-96: Ord. 40-98: Ord. 31-03).

2.04.125 Selection Process for Council Appointments and All Other Appointments Not Covered by Resolution 36-96

Biennially, in the meeting at which newly elected council members take office, the council shall choose from among its members a standing committee of three (3), from which the mayor and mayor pro tem shall be excluded, known as the "Council Assignments Committee", to assist in the selection of council liaisons to the various boards, commissions and committees and outside agencies, council appointees to ad hoc committees, and all other council and non-council appointments not covered by Resolution No. 36-96 by recommending appointees to the full City Council for approval. When the Council appoints a committee, they shall also identify a temporary chairperson whose sole purpose is to set a meeting date and convene the initial meeting. The first order of business is to appoint a permanent chairperson and any other officers unless the council's actions names them. Each assignment to a board, commission, committee, or outside agency shall be assigned a category which shall be defined as follows:

- A. Liaison assignment to City of Richland boards, commissions and committees. A council member shall not be a voting member of the board, commission or committee and shall participate only to a limited degree. The council member's purpose is primarily to communicate council policy to the board, commission or committee and to take back to the council recommendations and questions. The council member shall also gather information about the boards, commissions or committees and communicate it to the council when appropriate. In particular, council members shall not direct any activities as a leader of boards, commissions or committees to which they are assigned.
- B. Liaison assignment to non-City organization-nonparticipant. Council members shall not be voting members of non-City organizations in these kinds of assignments. The council member's purpose is primarily to communicate council policy to the organization and to take back to the council recommendations and questions. The council member shall also gather information about the organization and communicate it to the council when appropriate. In particular, council members shall not direct any activities as a leader of organizations to which they are assigned.
- C. Assignment to non-City organization-board member. Council members may be voting members of non-City organizations in these kinds of assignments. However, council members shall not participate as officers of the assignee organizations in these kinds of assignments. The council member's purpose is not only to communicate council policy to the organization and to take recommendations and questions back to council, the council member shall also encourage the carrying out of City objectives. The council member shall also gather information about the organization and communicate that information to the council when appropriate.
- D. Assignment to non-City organization-board member/officer. Council members may be voting members and participate as officers of non-City organizations in these kinds of assignments. The council member's purpose is not only to communicate council policy to the organization and to take recommendations and questions back to the council, the council member shall also encourage the carrying out of City objectives. The council member shall also gather information about the organization and communicate to the council when appropriate.
- E. Assignment to local, regional, state, national or international boards/commissions and committees relating to City or council business--member/officer. Council members who seek membership, election or re-election for office in local, regional, state, national or international boards/commissions and committees relating to City or council business shall first submit a request to the council assignments committee who shall review the request and make a recommendation to the full City Council for majority approval. Where circumstances require travel outside the local area at City expense, the council member shall adhere to travel policy Ordinance No. 37-91.

It shall be the responsibility of the council assignments committee to specify the category of each assignment at the time the assignments are created. This will signal the level of participation required of the council member as to each organization or board to which the council member is assigned. (Ord. 33-90: Ord. 39-91: Ord. 20-92: Ord. 17-96: Ord. 40-98).

2.04.127 Deputy City Manager for Community and Development Services

The Deputy City Manager for Community and Development Services, under the direction of the City Manager and subject to the provisions of the Charter and general laws, shall be responsible for the Community and Development Services Group, which is set forth in Section 2.04.160 and other duties as assigned not inconsistent with position of Deputy City Manager for Community and Development Services. (Ord. 31-03)

2.04.128 Assistant City Manager

The Assistant City Manager, under the direction of the City Manager and subject to the provisions of the Charter and general laws, shall be responsible for Hanford Communities, Public Information, administration of the City Manager's Office, task tracking system management, values implementation, Council goals, special projects and/or assignments, State legislative services and other duties as assigned not inconsistent with position of Assistant City Manager. (Ord. 31-03)

2.04.130 City Clerk

The City Clerk, subject to the provisions of the Charter, general laws and ordinances, shall be responsible for the publication, filing, indexing and safekeeping of all the records of all the proceedings of the council; record and certify all ordinances and resolutions; serve as custodian of the City seal and official City records; prescribe and furnish sample forms for all petitions provided for by Charter and ordinances; serve as registrar of voters for the city, and keep and maintain all election records and have custody of all property in connection with elections and perform such other duties in relation to registration of voters and elections as required by Charter and general law; publish all legal notices unless otherwise provided by general law or ordinance; and perform other duties as may be required by the Charter, the general laws, ordinances, the City Council, or the City Manager. The City Clerk shall attend all meetings of the Council and keep a permanent journal of its proceedings. (Ord. 125 4.02: Ord. 40-99: Ord. 31-03).

2.04.140 City Attorney

The City Attorney, subject to the provisions of the Charter and general laws, shall advise and assist in the preparation of, and prepare in final form and review for legal correctness, all ordinances, resolutions and regulations; prepare and review for legal correctness all contracts, bonds, franchises and other instruments to which the City is a party; attend all regular and special council sessions unless excused by the mayor; advise the Council, the City Manager, all department heads and other administrative officials and all boards, commissions and committees as to the legality of any proposed action; be responsible for all prosecutions for violations of ordinances, unless the manager, with the approval of the council, otherwise provides; represent the City in all legal proceedings in which the City is a party or has an interest, before any court or judicial, administrative or other tribunal, unless the manager, with the approval of the council, otherwise provides; settle or compromise, with the approval of the Council, claims or suits at law or in equity to which the City may be a party; and preserve in the office of the City Attorney copies of all legal opinions rendered. (Ord. 125 4.03: Ord. 40-98: 40-99: Ord. 31-03).

2.04.150 Administrative Services Group

The administrative services director shall be the lead for the Administrative Services Group. The Administrative Services Group shall be responsible for Human Resources and the administrative services department. The unit is generally responsible for administration of Richland Municipal Code Chapter 2.28 Personnel Plan and Titles 3 (Finance), and 5 (Licensing and Taxation). (Ord. 125 4.04: Ord. 180: Ord. 29-83: Ord. 55-93: Ord. 40-98: Ord. 40-99: Ord. 31-03).

2.04.155 Administrative Services Department

The Administrative Services Department, under the direction of the Administrative Services Director, shall be responsible for internal City services such as purchasing, warehousing, equipment maintenance, fleet management, Human Resources, Information Systems, and all finance functions including financial and utility reporting, budget, and cash and investment management including debt financing. (Ord. 31-03)

2.04.160 Community and Development Services Group

The Deputy City Manager for Community and Development Services shall be the lead for the Community and Development Services Group. The Community and Development Services Group shall be responsible for land use planning, development, permits, building inspections, redevelopment and neighborhood improvement, library, business and economic development and the parks and recreation

department. The unit is responsible for administration of Richland Municipal Code Titles 2.16 (Library), 19 (Development Regulation Administration), 21 (Buildings and Construction), 22 (Environment), 23 (Zoning), 24 (Plats and Subdivisions), 26 (Shoreline Management), and 27 (Signs). (Ord. 125: Ord. 563: Ord. 595: Ord. 751: Ord. 105-76 1.02: Ord. 6-78: Ord. 40-82: Ord. 35-85: Ord. 55-93: Ord. 18-96: Ord. 39-96: Ord. 40-98: Ord. 40-99: Ord. 31-03).

2.04.161 Parks and Recreation Department

The Parks and Recreation Department, under the direction of the Parks and Recreation Director, shall be responsible for the implementation of recreation and enrichment programs for citizens of all ages, coordination of services to the parks and recreation commission, maintenance of park areas and related facilities and such other duties as may be assigned. (Ord. 31-03)

2.04.165 Utility and Public Works Group

There is created a working group which consists of the Energy Services Department and the Public Works Department under the direction of the City Manager's designee and which shall report to the City Manager, being responsible for the services provided by the Energy Services Department and the Public Works Department. (Ord. 31-03)

2.04.170 Public Works Department

There is created a public works department, under the administrative supervision of the public works director, which shall be responsible for civil and utility engineering, utility operations of water, sewer, stormwater, and solid waste, transportation planning, and road maintenance. The department is responsible for general administration of Richland Municipal Code Titles 8 (Health and Sanitation), 12 (Streets and Sidewalks), 15 (Solid Waste), 16 (Stormwater), 17 (Sewers), and 18 (Water). (Ord. 55-93: Ord. 20-94: Ord. 18-96: Ord. 40-99).

2.04.180 Energy Services Department

The Energy Services Department, under the direction of the Energy Services Director, shall be responsible for the provision of energy services and the general administration of the Richland Municipal Code Title 14 (Electricity). (Ord. 31-03)

2.04.200 Public Safety Group

There is created a working group which consists of Police Services Department, Benton County Emergency Services Department, and the Fire and Emergency Services Department, under the direction of the City Manager's designee, and which designee shall coordinate the activities of the Public Safety Group and report directly to the City Manager, being responsible for the services provided by the Police Services Department, Benton County Emergency Services Department and the Fire and Emergency Services Department as set forth in this chapter. (Ord. 31-03)

2.04.205 Fire and Emergency Services Department

The fire and emergency services department, under the supervision of a fire and emergency services director (fire chief), shall be responsible for emergency medical services, fire prevention, fire operations and fire training. The department is responsible for general administration of Richland Municipal Code Title 20 (Fire). (Ord. 1-78 1.03: Ord. 80-79 1.05: Ord. 17-83 1.02: Ord. 40-99).

2.04.210 Police Services Department

The Police Services Department, under the supervision of a police services director (police chief) shall be responsible for patrol, investigations, and community relations. The department is responsible for general administration of Richland Municipal Code Title 9 (Crime). (Ord. 1-78 1.04: Ord. 8-85: Ord. 40-99).

2.04.220 Benton County Emergency Services Department

The Benton County Emergency Services Department, under the supervision of the Police Services Director, shall be responsible for directing and administering emergency communications and emergency management services within the City and between and among the numerous jurisdictions utilizing the services of the Benton County Emergency Services Department. (Ord. 40-99: Ord. 31-03).

2.04.260 Severability

The invalidity of any article, section, subsection, provision, clause or portion thereof, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance codified herein or the validity of its application to other persons or circumstances. (Ord. 125 4.14: Ord. 40-99).

2.04.270 Interpretation

- A. Conflicts. In any case where the change of department or position title causes a question or conflict in the responsibility or function to be administered, the City Manager shall review the matter and clarify the assignment of responsibility among the departments and officials established by this chapter.
- B. Salaries. In cases of reassignment of duties or establishment of positions, the City Manager shall review the responsibilities and recommend appropriate salary ranges or adjustments as a part of the annual budget process. Where individuals are assigned temporary acting responsibilities significantly different from their present responsibilities, the City Manager, within existing budgetary appropriations, may make interim compensation adjustments as allowed under the personnel rules. (Ord. 751: Ord. 105-76 1.07: Ord. 40-99).

Chapter 2.08 - Emergency Operations**Sections:**

- 2.08.010 Purposes**
- 2.08.020 Definitions**
- 2.08.030 Emergency Operations Board-Membership**
- 2.08.040 Emergency Operations Board-Powers and Duties**
- 2.08.050 Emergency Operations Board-Meetings, Officers, Records, Quorum**
- 2.08.060 Director of Emergency Operations-Powers and Duties**
- 2.08.070 Director of Emergency Operations-Disaster Powers and Duties**
- 2.08.080 Emergency Operations Organization-Membership**
- 2.08.090 Emergency Operations Organization-Divisions, Services, and Staff**
- 2.08.100 Offenses Defined**
- 2.08.110 Violation-Penalties**
- 2.08.120 Reserve Police-Established**
- 2.08.130 Reserve Police-Duties**
- 2.08.140 Reserve Police-Membership**
- 2.08.150 Reserve Police-Chief's Duties**
- 2.08.160 Reserve Police-Powers**
- 2.08.170 Reserve Police-Compensation**
- 2.08.180 Reserve Police-Liability**
- 2.08.190 Severability**

2.08.010 Purposes

The declared purposes of this chapter are to provide for the preparation and carrying out of plans, including mock or practice drills, for the emergency assistance and aid of persons and property within this City in the event of a disaster, and to provide for the coordination of the emergency operations and disaster functions of this City with all other public agencies and affected private persons, corporations and organizations. Any expenditures made in connection with such emergency operations and disaster activities, including mutual aid activities, and mock or practice drills, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the city. (Ord. 180 1.01: Ord. 28-83).

2.08.020 Definitions

- A. Emergency Operations. As used in this chapter, "emergency operations" means the preparation for and the carrying out of all emergency functions other than functions for which military forces are primarily responsible, to prevent, minimize and repair injury and damage resulting from disasters. It shall not include, nor does any provision of this chapter apply to, any condition relating to a labor controversy.
- B. Disaster. As used in this chapter, "disaster" means actual or threatened enemy attack, sabotage, extraordinary fire, flood, storm, epidemic, riot, earthquake or other similar public calamity. (Ord. 180 1.02: Ord. 28-83).

2.08.030 Emergency Operations Board - Membership

The Richland emergency operations board is created and shall consist of the mayor, who shall be chairperson, the mayor pro tempore, who shall be vice-chairperson, the director of emergency operations, the City Attorney and all municipal department heads of the City of Richland. The terms of the members of the emergency operations board shall last so long as each member holds the municipal position that qualifies him for membership under the ordinance codified herein, and thereafter his successor shall automatically become a member of the emergency operations board. (Ord. 180: Ord. 802: Ord. 28-83).

2.08.040 Emergency Operations Board - Powers and Duties

It shall be the duty of the Richland emergency operations board, and it is empowered, to review and recommend for adoption emergency operations and mutual aid plans and agreements and such resolutions, rules and regulations as are necessary to implement such plans and agreements. (Ord. 180 1.04: Ord. 802 1.03: Ord. 28-83).

2.08.050 Emergency Operations Board - Meetings, Officers, Records, Quorum

The emergency operations board shall create and fill such offices, other than chairperson and vice-chairperson, as it may determine it requires. The board shall meet upon call of the chairperson, or in his absence from the City or inability to call such meeting, upon the call of the vice-chairperson. It shall adopt rules for the transaction of business, and it shall keep a record of its meetings, resolutions, transactions, findings and determinations, which record shall be open to public inspection.

A majority of the board shall constitute a quorum for the transaction of business. Any action taken by a majority of those present at any meeting shall be deemed the action of the board. (Ord. 180 1.05: Ord. 802 1.03: Ord. 28-83).

2.08.060 Director of Emergency Operations - Powers and Duties

The director of emergency operations is empowered and directed:

- A. To prepare an emergency operating plan for the City conforming to the county and state emergency plan and program;
- B. To control and direct the effort of the emergency operations organization of this City for the accomplishment of the purposes of this chapter;
- C. To direct coordination and cooperation between divisions, services and staff of the emergency operations organization of this city, and to resolve questions of authority and responsibility that may arise between them;
- D. To represent the emergency operations organization of this City in all dealings with public or private agencies pertaining to civil defense and disaster. (Ord. 180 1.07).

2.08.070 Director of Emergency Operations - Disaster Powers and Duties

In the event of disaster, the director is empowered:

- A. To make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such disaster; provided, however, such rules and regulations must be confirmed at the earliest practicable time by the emergency operations board;
- B. To obtain vital supplies, equipment and such other properties found lacking and needed for the protection of the life and property of the people, and bind the City for the fair value thereof, and if required immediately, to commandeer the same for public use;
- C. To require emergency services of any City officer or employee, and in the event of a proclamation by the Governor of the existence of a disaster, to command the aid of as many citizens of this community as he considers necessary in the execution of his duties; such persons shall be entitled to all privileges, benefits and immunities as are provided by state law for registered emergency operations workers;
- D. To execute all of the special powers conferred upon him by this chapter or by resolution adopted pursuant thereto, all powers conferred upon him by statute, by agreement approved by the emergency operations board, or by any other lawful authority;
- E. To requisition necessary personnel or material of any City department or agency. (Ord. 180 1.08: Ord. 802 1.04: Ord. 28-83).

2.08.080 Emergency Operations Organization - Membership

The emergency operations organization of the City of Richland shall consist of:

- A. All officers and employees of the city;
- B. The emergency operations auxiliary police force;
- C. Any auxiliary fire fighting force;
- D. Other volunteer groups registered as emergency operations workers with the emergency operations organization, together with (e) those volunteer forces enrolled to aid them during a disaster, and (f) all groups, organizations and persons who may, by agreement or operation of law, be charged with duties incident to the protection of life and property in this City during disaster, including persons pressed into service under the provisions of Section 2.08.070(3) of this chapter. (Ord. 180 1.09: Ord. 28-83).

2.08.090 Emergency Operations Organization - Divisions, Services and Staff

The functions and duties of the emergency operations organization shall be distributed among such divisions, services and special staff as the emergency operations board shall prescribe.

The director of emergency operations shall, with the approval of the emergency operations board, prescribe the form of organization, establishment and designation of divisions and services, the assignment of functions, duties and powers, the designation of officers and employees. Insofar as possible, the form of organization, titles and terminology shall conform to the recommendations of the federal government and the Department of Emergency Services of the state of Washington. (Ord. 180 1.10: Ord. 802 1.05: Ord. 28-83).

2.08.100 Offenses Defined

It is unlawful for any person, during a disaster:

- A. To willfully obstruct, hinder or delay any member of the emergency operations organization in the enforcement of any lawful rule or regulation issued pursuant to this chapter, or in the performance of any duty imposed upon him by virtue of this chapter;
- B. To do any act forbidden by any lawful rules or regulations issued pursuant to this chapter, if such act is of such a nature as to give, or be likely to give assistance to the enemy, or to imperil the lives or property of inhabitants of this city, or to prevent, hinder or delay the defense or protection thereof;
- C. To wear, carry or display, without authority, any means of identification specified by the State Department of Emergency Services. (Ord. 180 1.11: Ord. 28-83).

2.08.110 Violation - Penalties

Every person convicted of a violation of any of Sections 2.08.010 through 2.08.100 shall be punished by a fine not to exceed five thousand dollars (\$5,000.00) or by imprisonment for not more than one (1) year or by both such fine and imprisonment. (Ord. 180 1.12: Ord. 28-83: Ord. 17-84: Ord. 40-98).

2.08.120 Reserve Police - Established

There is created and established a civilian reserve police force of up to twenty-five (25) members. Each member shall be appointed by the chief of police. The reserve police force shall function as a unit of the Richland Police Department under the supervision of the chief of police. (Ord. 178 1.01: Ord. 28-83: Ord. 40-98).

2.08.130 Reserve Police - Duties

The duties of the reserve police unit are to supplement the regular police service of the community during times of emergency and/or disaster, to maintain and preserve peace, protect life and property, prevent crime, apprehend law violators, perform patrol duties as directed, perform traffic control duties as directed and perform special assignments as required. (Ord. 178 1.02: Ord. 28-83).

2.08.140 Reserve Police - Membership

For membership in the reserve police unit, each applicant must file application with the chief of police, indicate his willingness to serve an average minimum of twelve (12) hours per month in the public service, meet the qualifications and requirements prescribed for membership in the reserve police unit, complete the training program, be appointed by the chief of police, take an oath of office and be sworn in.

Members of the reserve police unit are to:

- A. Be a citizen of the United States;
- B. Be a resident of the City of Richland;
- C. Be trustworthy and of good moral character;
- D. Not have been convicted of a felony or any offense involving moral turpitude.

The chief of police is authorized to furnish each member of the reserve police unit with a membership identification card and police badge. The membership identification card is to be carried by such member at all times, and the police badge is to be worn only when the reserve policeman is authorized to wear the prescribed uniform.

Membership of any person in the reserve police may be revoked at any time by the chief of police. Any member of the reserve police may resign upon notification to the chief of police. Upon separation from the organization, all equipment issued to him by the City must be turned in within five (5) days. (Ord. 178 1.03: Ord. 28-83: Ord. 40-98).

2.08.150 Reserve Police - Chief's Duties

The chief of police shall be the commanding officer of the reserve police unit. He shall be responsible for establishing a training program, promulgating rules and regulations for their conduct, prescribing their uniform, and supervising their performance of duty. He shall select and appoint men to the reserve police and may appoint such subordinate officers as he deems suitable and necessary.

No member of the reserve police shall be regarded as a City employee for any purpose, nor subject to personnel rules and regulations, nor entitled to the benefits of the Police Pension Fund Act. (RCW 41.20) (Ord. 178 1.04: Ord. 28-83).

2.08.160 Reserve Police - Powers

Members of the reserve police unit shall have all those powers vested in them by the chief of police while in the performance of officially authorized duties, including such power to make arrests as any police officer of the city, but under no circumstances shall the reserve policeman exercise any power while not in the performance of duties ordered by the chief of police or by a regular police officer. (Ord. 178 1.05: Ord. 28-83).

2.08.170 Reserve Police - Compensation

Members of the emergency operations reserve police unit serve without compensation, but the City may, in its discretion, pay all or part of the cost of accidental death and medical insurance coverage, and the cost of furnishing uniforms and equipment when the appropriation therefore has been indicated as an item in the city's budget. (Ord. 178 1.06: Ord. 825 1.01: Ord. 28-83).

2.08.180 Reserve Police - Liability

The City shall register all regular members of the reserve police officers as emergency operations reserve police officers so that in the event of injury or death in the performance of duty, such reserve police officers will be eligible for compensation available for this purpose as established by the State Legislature and administered by the State and Federal government. (Ord. 178 1.07: Ord. 28-83).

2.08.190 Severability

If any provision of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable. (Ord. 178 1.08: Ord. 180 1.13: Ord. 28-83).

Chapter 2.10 - Utility Advisory Committee**Sections:**

- 2.10.005 Purpose**
- 2.10.010 Utility Advisory Committee Created**
- 2.10.020 Removal-Vacancies**
- 2.10.030 Meetings, Officers, Records, and Quorum**
- 2.10.040 Duties of the Committee**
- 2.10.050 Expenditures-Budget**
- 2.10.060 Staff Assistance**

2.10.005 Purpose

The purpose and intent of this chapter is to make available to the City Council additional expertise relative to the operation and management policies of city-owned utilities, specifically the electric, water, sewer and solid waste utilities and to policies associated with other utilities in the city. The utility advisory committee, herein created, shall not supplant administrative input to the City Council, but shall complement staff input through utilization and application of the special expertise possessed by its members. It is not the purpose nor the intent of this chapter to in any way interfere with the administrative staff functions involving the day-to-day operation of the City utilities except insofar as policy decisions by the City Council may have a direct or indirect bearing on the day-to-day operations of the utilities. (Ord. 57-77 1.01: Ord. 40-98).

2.10.010 Utility Advisory Committee Created

There is created within the City of Richland a utility advisory committee, to be composed of seven members appointed by the City Council. Members shall serve for staggered three (3)-year terms and until their successors are appointed and confirmed.

The members of the committee shall be selected without regard to political affiliation and shall serve without compensation. Members of the committee may be broadly representative of the community, provided, however, that in making appointments to the committee, the City Council shall consider any expertise the potential appointee may have with regard to the subject of utility operation and management; provided further, that at any one time there shall be at least one (1) member of the committee possessing skill and expertise in the area of utility operation and capital improvement financing. Selection of members shall follow established procedures as set forth in Richland Municipal Code, 2.04.120. (Ord. 5-80 1.01: Ord. 57-77 1.01 (part): Ord. 39-90): Ord. 40-91: Ord. 40-98: Ord. 13-00: Ord. 14-03).

2.10.020 Removal - Vacancies

The committee may, by majority vote, recommend to the City Council removal of an appointed member upon such grounds as may be deemed appropriate by the committee. The City Council, by majority vote, may remove any appointed member of the committee and declare the position vacant. Workshops shall be excluded from the definition of meetings for purposes of this section. Vacancies shall be filled in the manner used for regular appointments to the committee. (Ord. 57-77 1.01: Ord. 40-91: Ord. 40-98: Ord. 14-03).

2.10.030 Meetings, Officers, Records and Quorum

- A. The committee shall elect its own chairperson and vice-chairperson and create and fill such other offices it may determine it requires. The committee shall hold regular meetings at least once during each quarter of each calendar year. It shall adopt rules for transaction of business, and it shall keep a record of its meetings, resolutions, transactions, findings and determinations, which records shall be open to public inspection.
- B. Four members of the committee shall constitute a quorum for the transaction of business. (Ord. 57-77 1.01: Ord. 40-98).

2.10.040 Duties of the Committee

The committee shall perform the following duties:

- A. The committee shall serve as an advisor to the City Council relative to policy and planning for the managing, financing and operation of the utilities owned and operated by the City of Richland.

- B. The committee shall advise the City Council on all matters relating to utility system expansion, extension, additions and betterments.
- C. The committee shall advise the City Council on all matters relating to the incurring of indebtedness for or by city-owned utilities and the issuance of utility bonds.
- D. The committee shall advise the City Council relative to rates and charges for utility services and shall, when authorized by the City Council, conduct surveys, analyses, studies and reports relating to city-owned utilities.
- E. The committee shall perform such other duties and provide such additional advice and assistance to the City Council as the City Council may request or direct.
- F. The committee shall advise the City Council on policies related to utilities not owned by the City (Ord. 57-77 1.01: Ord. 40-98).

2.10.050 Expenditures - Budget

The expenditures of the committee, exclusive of donations, shall be limited to appropriations made to the various utility departments of the City of Richland by the City Council for the utility advisory committee function. The services and facilities of the various utility departments of the city, as approved by the City Manager, shall be utilized by the committee in performing its duties, except that services of outside consultants may be obtained for a temporary period of time when authorized by the City Council. All services requiring appropriations shall be submitted through the budgets of the various utility departments within the city. (Ord. 57-77 1.01: Ord. 40-98).

2.10.060 Staff Assistance

The staff of the various utility departments of the city, as assigned by the City Manager, shall provide staff assistance and shall also serve to facilitate communications by the utility advisory committee to the City Council. The committee and its members shall deal with employees of the various utility departments and city-employed consultants, contractors, customers and other City staff only through the City Manager or administrative staff assigned by the City Manager. (Ord. 57-77 1.01: Ord. 40-98).

Chapter 2.11 - Americans with Disabilities Citizens Review Committee**Sections:****2.11.005 Purpose****2.11.010 Americans with Disabilities Act Citizens Review Committee Created****2.11.020 Removal-Vacancies****2.11.030 Meetings, Officers, Records and Quorum****2.11.040 Duties of the Committee****2.11.050 Expenditures-Budget****2.11.060 Staff Assistance****2.11.005 Purpose**

The purpose and intent of this chapter is to establish and make available a citizens committee to review those complaints pertaining to the Americans with Disabilities Act as implemented and administered by the City of Richland. The ADA Citizens Review Committee will provide a hearing, listen to and formulate a decision based upon information provided in the hearing. The decision shall be made in writing with a copy of the decision provided to the complainant and a copy provided to the city's Americans with Disabilities Act Coordinator. This decision, upon a written appeal by the complainant, will be forwarded to the Richland City Council. The City Council will be responsible to issue a final written decision. (Ord. 49-93).

2.11.010 Americans with Disabilities Act Citizens Review Committee Created

There is created within the City of Richland an Americans with Disabilities Act Citizens Review Committee. The committee will be composed of five (5) members appointed by the City Council. Members shall serve staggered three (3)-year terms and until their successors are appointed and confirmed. Two (2) of the five (5) members shall be citizens of Richland. The other three (3) members may be selected from outside of the City limits.

The members of the committee shall be selected without regard to political affiliation and shall serve without compensation. Persons with disabilities or persons working with persons with disabilities will be encouraged to join the committee to provide a balanced perspective to decision making concerning these issues. Selection of members shall follow established procedures as set forth in Richland Municipal Code, 2.04.120. Elected officials, the disabled community, business or non-profit sectors, education and the health/medical profession shall be considered for membership on this committee. (Ord. 49-93: Ord. 59-94: Ord. 40-98).

2.11.020 Removal-Vacancies

The committee, by majority vote, may recommend to the City Council removal of an appointed member upon such grounds as may be deemed appropriate by the committee. The City Council, by majority vote, may remove any appointed member of the committee and declare the position vacant. Unexcused absences from any two (2) consecutive meetings shall be grounds for removal. Vacancies shall be filled in the manner used for regular appointments to the committee. (Ord. 49-93: Ord. 40-98).

2.11.030 Meetings, Officers, Records, and Quorum

- A. The committee shall elect its own chairperson and vice-chairperson and create and fill such other offices it may determine it requires. The committee shall meet initially for the purpose of establishing its operating procedures. It will then meet only at such time as an appeal is filed from a decision made by the Americans with Disabilities Act Coordinator. A record shall be kept of its meetings, findings and determinations, which records shall be open to public inspection.
- B. Three (3) members of the committee shall constitute a quorum for the provision of a hearing. A member not present at the time of the hearing shall not participate in a decision unless the member reads and reviews all of the record made at such a hearing. (Ord. 49-93: Ord. 40-98).

2.11.040 Duties of the Committee

The committee shall perform the following duties:

- A. The committee shall serve as a hearing board for complaints regarding implementation and administration of the Americans with Disabilities Act for the City of Richland. All such hearings shall be open to the public following publication of a notice for such hearing in the legal newspaper for the City of Richland. Notice shall be given to the complainant at least five (5) days prior to the hearing.
- B. The committee shall hear only those complaints which pertain specifically to policies, equipment, property and responsibilities of the City of Richland and only those complaints that have been first addressed by and responded to by the Americans with Disabilities Act coordinator. No appeal for a hearing will proceed until the coordinator issues a written determination to a written and filed complaint.
- C. The committee shall maintain a written log of activities in which it is involved and shall report to the City Council in written format annually of its involvement on behalf of the City.
- D. All hearings shall be recorded and a written transcript shall be maintained in the files of the city's coordinator of the Americans with Disabilities Act.
- E. A written decision shall be issued within thirty (30) days from the date the committee receives a complaint.
- F. Within thirty (30) days of the date of mailing of the decision of the committee to the complainant, an appeal of the committee's decision must be filed with the City Clerk for placing the appeal on the next available regular or special City Council agenda. (Ord. 49-93: Ord. 40-98).

2.11.050 Expenditures-Budget

The expenditures of the committee shall be limited to appropriations made to the budget line item for implementation and administration of the Americans with Disabilities Act. The services and facilities of the City of Richland shall be utilized by the committee in performing its duties unless specific services are authorized by the City Council.

2.11.060 Staff Assistance

The city's coordinator shall provide staff assistance to the committee and shall serve to facilitate communications by the committee to the City Council. (Ord. 49-93).

Chapter 2.12 - Library Board**Sections:**

- 2.12.010 Membership**
- 2.12.020 Removal and Vacancies**
- 2.12.030 Meetings, Officers, Records, and Quorum**
- 2.12.040 Power and Duties**
- 2.12.050 Expenditures-Budget**
- 2.12.060 Gifts-Title to Property**
- 2.12.070 Services of Other City Departments**

2.12.010 Membership

There is created a library board (hereinafter referred to as the "board") composed of five (5) trustees as recommended by the council assignments committee to the mayor, appointed by the mayor and confirmed by a majority of City Council. Trustees shall serve staggered five (5)-year terms and until their successors are appointed and confirmed. No person shall be appointed to serve more than two (2) consecutive terms as library trustee. In the instance of an appointment to fill a vacancy for an unexpired term, a full term shall be considered a period of time in excess of one (1) year.

The library trustees shall be selected without regard to political affiliation and shall serve without salary or other compensation, but shall be reimbursed for necessary expenses actually incurred, out of library funds. All members shall be residents of the City of Richland, Washington. (Ord. 67 1.01: Ord. 181: Ord. 742 1.01: Ord. 7-80 1.01: Ord. 39-90): Ord. 40-91: Ord. 40-98).

2.12.020 Removal and Vacancies

The trustees may, by majority vote, recommend to the City Council removal of an appointed member upon such grounds as may be deemed appropriate. The City Council, by majority vote, may remove a trustee and declare the position vacant. Unexcused absences from three (3) consecutive meetings or six (6) absences, excused or unexcused, within a twelve (12)-month period shall be grounds for removal. Workshops shall be excluded from the definition of meetings for purposes of this section. Vacancies occurring otherwise than by expiration of terms shall be filled for the unexpired terms in the manner used for regular appointments to the board. (Ord. 67 1.02: Ord. 40-91).

2.12.030 Meetings, Officers, Records, and Quorum

The board shall elect its own chairperson and vice-chairperson and create and fill such other offices as it may determine it requires. The board shall hold at least one (1) regular meeting in each of ten (10) calendar months of the year. It shall adopt such by-laws, rules and regulations for its own guidance and for the government of the library as it deems necessary, and it shall keep a record of its meetings, resolutions, transactions, findings and determinations, which record shall be open to public inspection.

Three (3) members of the board shall constitute a quorum for the transaction of business. Board action requires three (3) affirmative votes of those present at any regular or special meeting. (Ord. 67 1.03: Ord. 181: Ord. 806 1.01: Ord. 40-91: Ord. 40-98).

2.12.040 Powers and Duties

The library trustees shall have the powers vested in them and perform the duties imposed upon them by general law. In addition, the Board shall provide City Council with a quarterly report detailing ongoing facility plans and fundraising efforts regarding library facilities. (Ord. 67 1.04: Ord. 806 1.02: Ord. 47-74: Ord. 4-89: Ord. 38-05).

2.12.050 Expenditures - Budget

The expenditures of the board, exclusive of gifts or the income of property held in trust for the library, shall be limited to appropriations made to the library by the City Council. All programs requiring appropriations shall be submitted through the library budget. (Ord. 67 1.06).

2.12.060 Gifts - Title to Property

The title to money or property given to or for the use or benefit of the library shall vest in the library board to be held and used according to the terms of the gift. (Ord. 67: Ord. 181).

2.12.070 Services of Other City Departments

The board may, with the approval of the City Manager, use the services of the various departments of the City administration, in carrying out its duties and responsibilities. (Ord. 67 1.07).

Chapter 2.13 – Housing and Community Development Advisory Committee**Sections:****2.13.010 Purpose****2.13.020 Housing and Community Development Advisory Committee Created****2.13.030 Removal-Vacancies****2.13.040 Meetings, Officers, Records, and Quorum****2.13.050 Functions and Duties****2.13.060 Expenditures and Budget****2.13.070 Staff Assistance****2.13.010 Purpose**

The purpose and intent of this chapter is to make available to the City Council and staff an advisory body in the development and administration of affordable housing programs for Richland residents. This committee will also advise City staff and City Council on issues related to housing and neighborhood revitalization, redevelopment and commercial revitalization, neighborhood and community facilities, and public service projects. (Ord. 14-03)

2.13.020 Housing and Community Development Advisory Committee Created

There is hereby created within the City of Richland a Housing and Community Development Advisory Committee composed of nine (9) at-large members. The members of the committee shall be selected without regard to political affiliation and shall serve without compensation. In making appointments to the committee, the City council shall strive to appoint individuals who have interest or expertise in housing development, real estate, financing, appraisals, construction, or the provision of housing services to low income, minority and special needs populations, such as the elderly and those with disabilities. Low-income people and minorities are encouraged to apply for membership on the Committee. Selection of members shall follow established procedures as set forth in Richland Municipal Code 2.04.120.

At-large members shall be appointed for a term of three (3) years. (Ord. 14-03: Ord. 38-05)

2.13.030 Removal-Vacancies

The committee may, by majority vote, recommend to the City Council removal of an appointed member upon such grounds as may be deemed appropriate. The City Council, by majority vote, may remove any appointed member of the committee and declare the position vacant. Vacancies occurring otherwise than by expiration of term shall be filled for any unexpired term in the manner used for regular appointments. Workshops shall be excluded from the definition of meetings for the purposes of this section. (Ord. 14-03)

2.13.040 Meetings, Officers, Records and Quorum

The committee shall elect its own chairperson and vice-chairperson and create and fill such other offices as it may determine it requires. The committee shall hold regular monthly meetings at a time to be determined at the first meeting of each year. All meetings shall be open to the public and a specific time period will be provided on the agenda to receive public comments. It shall adopt rules for transaction of business and shall keep a record of its meetings, resolutions, transactions, findings and determinations, which record shall be open to public inspection.

Six (6)-voting members of the Committee shall constitute a quorum for the transaction of business. In the event of a vacancy (or vacancies), a quorum shall be a majority of the remaining members, however, not to be less than five (5) voting members. (Ord. 14-03: Ord. 38-05)

2.13.050 Functions and Duties

The Housing and Community Development Advisory Committee (HCDAC) shall perform the following functions:

- A. Assist City staff and advise the City Council on the development of affordable housing policies and programs;
- B. Coordinate, as needed, with the Richland Housing Authority in the development of affordable housing programs;

- C. Serve as a Technical Advisory Committee to the City Council on housing and community development needs;
- D. Review and make recommendations to the City Council on the City's Consolidated Planning Strategy and on the Housing Element of the City's Comprehensive Plan.
- E. Community Development Block Grant (CDBG)
 - 1. Review federal requirements for the administration of the Community Development Block Grant program and make recommendations on program procedures to the City Council.
 - 2. Review applications for Community Development Block Grant funds and make recommendations on project funding to the City Council.
- F. HOME Consortium (HOME)
 - 1. Help staff develop and administer the Tri-City HOME Consortium Agreement.
 - 2. Review federal requirements for the administration of the HOME Program and make recommendations on program procedures to the City Council.
- G. The HCDAC will assign subcommittees as appropriate. (Ord. 14-03: Ord. 38-05)

2.13.060 Expenditures-Budget

The expenditures of the committee, exclusive of donations, shall be limited to appropriations. All services requiring appropriations shall be submitted through the budget of the City housing and development department. Provided, however, that the services of outside consultants may be obtained for a temporary period of time when specifically authorized by the City Council. (Ord. 14-03)

2.13.070 Staff Assistance

The staff of the various departments within the city, as assigned by the City Manager, shall provide staff assistance and shall also serve to facilitate communications by the Housing and Community Development Advisory Committee to the City Council. (Ord. 14-03)

Chapter 2.14 - Economic Development Committee**Sections:**

- 2.14.010 Purpose**
- 2.14.020 Economic Development Committee Created**
- 2.14.030 Removal-Vacancies**
- 2.14.040 Meetings, Officers, Records and Quorum**
- 2.14.050 Functions and Duties**
- 2.14.060 Expenditures and Budget**
- 2.14.070 Staff Assistance**

2.14.010 Purpose

The purpose and intent of this chapter is to make available to the City Council and staff additional expertise relative to the monitoring, assessing and strengthening of existing economic development strategies and to develop new strategies of economic development for the City by establishing an economic development committee consisting of representatives from various professional disciplines. The economic development committee herein created shall not supplant administrative input to the City Council by staff, but shall complement staff input through the utilization and application of the special expertise possessed by its members. (Ord. 23-83: Ord. 40-98).

2.14.020 Economic Development Committee Created

There is hereby created within the City of Richland an Economic Development Committee composed of eight (8) members appointed by the City Council. Members will serve staggered three (3)-year terms. The three (3) at-large members shall have initial staggered terms of three (3), two (2) and one (1) years respectively. The retail and hospitality member shall serve an initial two (2)-year term, the manufacturing and industry member shall serve an initial one (1)-year term, the professional services member shall serve an initial two (2)-year term and the Hanford-related industry and research institutions member shall serve an initial three (3)-year term. Thereafter, members shall be appointed for a term of three (3) years.

The members of the committee shall be selected without regard to political affiliation and shall serve without compensation. Four (4) members shall be involved in retail and hospitality, manufacturing and industry, professional services and Hanford-related industry and research institutions. One (1) member shall be involved in the tourism business or be an advocate and representative of tourism activities. In making appointments to the committee, the City Council shall strive to appoint individuals with multiple skills and with experience and expertise from various disciplines and backgrounds. Selection of members shall follow established procedures as set forth in Richland Municipal Code, 2.04.120. A tie vote of the eight member board shall result in the defeat of the issue being voted upon by the members. (Ord. 23-83: Ord. 7-87: Ord. 35-90: Ord. 40-91: Ord. 29-97: Ord. 40-98: Ord. 38-05).

2.14.030 Removal-Vacancies

The committee may, by majority vote, recommend to the City Council removal of an appointed member upon such grounds as may be deemed appropriate. The City Council, by majority vote, may remove any appointed member of the committee and declare the position vacant. Vacancies occurring otherwise than by expiration of term shall be filled for any unexpired term in the manner used for regular appointments. Workshops shall be excluded from the definition of meetings for the purposes of this section. (Ord. 23-83: Ord. 40-91: Ord. 29-97: Ord. 40-98: Ord. 14-03).

2.14.040 Meetings, Officers, Records, and Quorum

The committee shall elect its own chairperson and vice-chairperson and create and fill such other offices as it may determine it requires. The committee shall hold regular meetings no less than every second month with the first annual meeting to be held in February of each calendar year. It shall adopt rules for transaction of business and shall keep a record of its meetings, resolutions, transactions, findings and determinations, which record shall be open to public inspection.

Any four (4) members of the committee shall constitute a quorum for the transaction of business. An agenda shall be prepared and distributed prior to each meeting which sets forth specified time periods during which individual items of committee business shall be discussed. These time periods may be extended, but only by a vote of a majority of committee members present. At the initial meeting of the committee, a skeleton agenda with time lines shall be prepared. (Ord. 23-83: Ord. 7-87: Ord. 35-90: Ord. 29-97: Ord. 40-98).

2.14.050 Functions and Duties

The economic development committee shall perform the following functions:

- A. Formulate economic development goals for the City in a structured framework providing both time and measurement criteria.
- B. Assess existing economic development policies for the purpose of recommending such modifications as may be appropriate to achieve the economic goals approved by the City Council.
- C. Formulate new economic development strategies and policies for the purpose of assuring achievement of the economic development goals approved by the City Council.

In addition to the broad major functions outlined above, the economic development committee shall, consistent with established City Council policy:

- A. Prepare and submit recommendations to staff and council on a broad range of matters generally related to economic development.
- B. Provide direction to staff and assist in formulating, refining and developing economic development strategies, plans and policies.
- C. Develop plans and programs for the purpose of retaining and enhancing the existing commercial and industrial base of the city.
- D. Develop plans and programs to promote creative incentives including funding mechanisms, to attract, and retain, commercial and industrial development.
- E. Develop strategies and programs to strengthen the concept of the public/private development partnership.
- F. Review and advise the City Council on the relative merits of individual economic development proposals.
- G. Convene, when necessary, to greet potential commercial and industrial residents and serve as a central body for the dissemination of economic development information relating to availability of land, financial tools and resources and other factors relating to successful commercial and economic development.
- H. Provide guidance and recommendations relative to the appropriate timing, organization and formation of a public corporation for the purpose of issuing industrial revenue bonds.
- I. Appoint a liaison to the Tri-City Regional Chamber of Commerce.
- J. Perform such other duties and provide such additional information, assistance and advice to the City Council as the City Council may request or direct. (Ord. 23-83: Ord. 29-97: Ord. 40-98: Ord. 14-03: Ord. 04-07).

2.14.060 Expenditures-Budget

The expenditures of the committee, exclusive of donations, shall be limited to appropriations. All services requiring appropriations shall be submitted through the budget of the City Community and Development Services Group. Provided, however, that the services of outside consultants may be obtained for a temporary period of time when specifically authorized by the City Council. (Ord. 23-83: Ord. 40-98: Ord. 31-03).

2.14.070 Staff Assistance

The staff of the various departments within the city, as assigned by the City Manager, shall provide staff assistance and shall also serve to facilitate communications by the economic development committee to the City Council. (Ord. 23-83 1.01: Ord. 40-98).

Chapter 2.15 - Lodging Tax Advisory Committee**Sections:**

- 2.15.005 Purpose**
- 2.15.010 Lodging Tax Advisory Committee Created**
- 2.15.020 Removal-Vacancies**
- 2.15.030 Meetings, Officers, Records, and Quorum**
- 2.15.040 Duties of the Committee**
- 2.15.050 Expenditures-Budget**
- 2.15.060 Staff Assistance**

2.15.005 Purpose

The purpose and intent of this chapter is to establish a committee to review and comment on any proposed imposition of hotel/motel tax, proposed increase in the hotel/motel tax rate, any proposed change in the use of revenue derived from the hotel/motel tax and make recommendations to council regarding the distribution of hotel/motel tax funds, all as set forth in RCW 67.28 as it currently exists or may hereafter be amended. (Ord. 17-97).

2.15.010 Lodging Tax Advisory Committee Created

There is created within the City of Richland a Lodging Tax Advisory Committee. The committee will be composed of five (5) members appointed by the City Council. One (1) position must be filled by a council member; two (2) members must represent businesses required to collect lodging tax, one (1) such member shall be appointed initially to a one (1)-year term and one (1) member shall be appointed to a two (2)-year term; and two (2) members must be involved in activities eligible for funding by lodging tax revenue, one (1) such member shall be appointed initially to a one (1)-year term and one (1) member shall be appointed to a two (2)-year term. In order to assure continuity of this committee after the initial appointments, the membership shall be appointed to staggered two (2)-year terms.

The members of the committee shall be selected without regard to political affiliation and shall serve without compensation. Selection of members shall follow established procedures as set forth in Richland Municipal Code, 2.04.120. (Ord. 17-97: Ord. 18-98: Ord. 40-98).

2.15.020 Removal-Vacancies

The council and committee, by mutual consent, may remove a member upon such grounds as may be deemed appropriate by the council and committee. The council and committee, by mutual agreement, may remove any appointed member of the committee and declare the position vacant. Unexcused absences from any two (2) consecutive meetings shall be grounds for removal. Vacancies shall be filled in the manner used for regular appointments to the committee. (Ord. 17-97: Ord. 40-98).

2.15.030 Meetings, Officers, Records, and Quorum

- A. A council member shall serve as the committee's chairperson. The vice chairperson and all other officers shall be filled as the committee determines it requires. The committee shall meet initially for the purpose of establishing its operating procedures. It will then meet as determined by the committee. A record shall be kept of its meetings, findings and determinations, which records shall be open to public inspection.
- B. Three (3) members of the committee, one (1) representative from council, one (1) representative from a business required to collect lodging tax and one (1) representative involved in activities eligible for funding by lodging tax revenue, shall constitute a quorum. A member not present at the time of a meeting shall not participate in a decision. (Ord. 17-97: Ord. 40-98).

2.15.040 Duties of the Committee

The committee shall perform the following duties:

- A. The committee shall serve as an advisory committee for the Council as it relates to hotel/motel tax funds. All meetings shall be open to the public following publication of a notice for such meeting in the legal newspaper for the City of Richland.
- B. The committee shall review and comment on any proposed imposition of the hotel/motel tax, any proposed increase in the hotel/motel tax rate, any change in the use of revenue derived from the hotel/motel tax and recommend to council any distribution of hotel/motel tax funds.

- C. The committee shall maintain a written log of activities in which it is involved and shall report to the City Council in written form annually of its involvement on behalf of the City.
- D. All meetings shall be recorded and a written transcript shall be maintained in the files of the City Clerk's office. (Ord. 17-97).

2.15.050 Expenditures-Budget

The expenditures of the committee shall be limited to appropriations made to the budget line item for implementation and administration of the lodging tax advisory committee. The services and facilities of the City of Richland shall be utilized by the committee in performing its duties unless specific services are authorized by the City Council. (Ord. 17-97).

2.15.060 Staff Assistance

The Community and Development Services Group shall provide staff assistance to the committee and shall serve to facilitate communications by the committee to the City Council. (Ord. 17-97; Ord. 31-03).

Chapter 2.16 - Planning Commission**Sections:**

- 2.16.010 Membership**
- 2.16.020 Removal-Vacancies**
- 2.16.030 Meetings, Officers, Records and Quorum**
- 2.16.040 Expenditures-Budget**
- 2.16.050 Duties**
- 2.16.060 Reports**
- 2.16.070 Severability**

2.16.010 Membership

There is created a Planning Commission (hereinafter referred to as the "Commission") composed of nine (9) members appointed by the City Council. Members shall be appointed for a term of six (6) years and until their successors are appointed and confirmed. Members shall be selected without regard to political affiliation and shall serve without compensation. The terms of the three representatives from other City committees will be terminated at the end of 2005. Three new Planning Commission members will be appointed to the Commission by January, 2006. The three members shall have initial staggered terms of 2, 4 and 6 years respectively based upon their time of appointment. Thereafter, all Planning Commission members shall be appointed for a term of six (6) years. Selection of members shall follow established procedures as set forth in Richland Municipal Code, 2.04.120. Each appointee shall commit to attending meetings and workshops and to do the necessary preparation for such position. General requirements of participation on the Planning Commission include:

- A. General knowledge of the Council's Community Priorities;
- B. A strong desire to be involved with land use development on behalf of the City of Richland;
- C. The following backgrounds are desirable: Urban Planning, Architecture, Transportation, Civil Engineering, Geology, or Economic Development;
- D. Participation in community activities and time availability will also be considered. (Ord. 23: Ord. 342: Ord. 461: Ord. 742 1.02: Ord. 765: Ord. 806 1.14: Ord. 7-80 1.02: Ord. 16-84: Ord. 39-90: Ord. 40-91: Ord. 40-98: Ord. 14-03: Ord. 38-05).

2.16.020 Removal - Vacancies

Vacancies occurring as a result of expiration of term, resignation or otherwise shall be filled in the manner used for regular appointments to the commission. The commission may, by majority vote, recommend to the City Council removal of an appointed member upon such grounds as inefficiency, neglect of duty or malfeasance in office. The council, by majority vote, may remove any appointed member of the commission and declare the position vacant. Workshops shall be excluded from the definition of meetings for purposes of this section. (Ord. 23 1.02: Ord. 765 1.02: Ord. 16-84 1.02): Ord. 40-91: Ord. 40-98: Ord. 14-03).

2.16.030 Meetings, Officers, Records, and Quorum

The commission at its first regular meeting of February of each year shall elect a chairperson and vice-chairperson and create and fill such other offices as it may determine it requires. The commission shall hold at least one (1) regular meeting in each month of the year, unless cancelled by the chairperson as a result of having no business to conduct or for other good cause. The commission shall adopt rules for transaction of business, and shall keep a record of meetings, resolutions, transactions, findings and determinations, which record shall be open to public inspection. Each new Commissioner will be required to participate in City-provided training for Planning Commissioners within the first 6 (six) months of their appointment. Some travel for such training may be required.

Five (5) members of the commission shall constitute a quorum for the transaction of business. In the event of a vacancy (or vacancies), a quorum shall be not less than four (4) members, except as provided in Section 23.82.210. (Ord. 23. 1.03: Ord. 342 1.02: Ord. 392 1.01: Ord. 806 1.15: Ord. 16-84 1.03: Ord. 40-91: Ord 38-05).

2.16.040 Expenditures - Budget

The expenditures of the commission, exclusive of gifts, shall be limited to appropriations made to the City planning office by the City Council for the planning function of the city. The services and facilities of the City planning office shall be utilized by the commission in performing its duties, except that services of outside consultants may be obtained for a temporary period of time when authorized by the City Council. All programs requiring appropriations shall be submitted through the City planning office budget. (Ord. 23 1.04).

2.16.050 Duties

The commission shall perform the following duties:

- A. Serve as an advisor to the City Council in order to promote the orderly physical development and growth of the city;
- B. Prepare a comprehensive plan for the orderly physical and social development of the city. The physical dimension of the comprehensive plan, for which the planning commission is responsible, shall include among its purposes and be designed to:
 1. Encourage the most appropriate use of land throughout the municipality,
 2. Lessen traffic congestion and accidents,
 3. Secure safety from fire,
 4. Provide adequate light and air,
 5. Prevent overcrowding of land,
 6. Avoid undue concentration of population,
 7. Provide for the preservation of clean air, clean water and the natural, scenic, historic and esthetic qualities of the environment.
 8. Promote a coordinated development of undeveloped area,
 9. Encourage the formation of neighborhood and community units,
 10. Secure an appropriate allotment of land area in new developments for all requirements of community life,
 11. Conserve and restore natural beauty and other natural resources,
 12. Analyze flood protection.
 13. Address the identification and preservation of historical buildings and places and archaeologically significant areas, and
 14. Consider garbage, sewage treatment and solid waste disposal.

The Comprehensive Plan shall become the official Plan of the City when approved by the City Council and filed with the County Auditor. The Comprehensive Plan shall be reviewed on an annual basis by the Planning Commission to consider updates and changes, and provide those recommendations to the City Council. The commission may recommend to the City Council the plan prepared as a whole, or may recommend parts of the plan by successive recommendations, the parts corresponding with geographic or political sections, divisions or subdivisions of the city, or with functional subdivisions of the subject matter of the plan.

The commission shall comply with requirements of notice and public hearing provided by law in initiating and recommending the whole or parts of the comprehensive plan.

- C. Recommend, or prepare and recommend, for the adoption by the City Council, regulations, amendments, extensions or additions to such regulations or plans for the physical development of the City in the interest of health, safety, morals or general welfare, including, but not limited to, the following:
 1. The use of buildings and land for residence, trade, industrial and other purposes,
 2. The height, number of stories, size, construction and design of buildings and other structures,
 3. The size of yards, courts and other open spaces on the lot or tract,
 4. The density of population,
 5. The setback of buildings along highways, parks or public water frontages, and
 6. The subdivision and development of land;

- D. Review and make recommendations to the council on plats, plans or subdivisions, or dedications of land situated within the boundaries of the City or proposed for annexation to the city, subject to approval by the council; hold public hearings on proposed plats and subdivisions; establish, subject to approval by the City Council, such regulations and standards as are necessary to constitute a guide in determining whether or not the proposed plat or subdivision is in harmony with the comprehensive plan;
- E. Act as a research and fact-finding agency of the city. The commission shall cause to be made such surveys, analyses, studies and reports as are generally authorized or requested by the City Council;
- F. Advance planning for public works programs and the long-range capital budget therefore;
- G. Establish such other work project priorities as the City Council may direct;
- H. Review, discuss and analyze all planning commission work products and projects, as well as the work products, projects and recommendations of the board of adjustment, when appropriate, and the parks and recreation commission, to insure that the board of adjustment and the parks and recreation commission, as well as other boards, commissions and committees, have an opportunity to consider a given project in light of their specific knowledge and expertise.

Any project or recommendation received by the planning commission from the board of adjustment or parks and recreation commission shall be reviewed by the planning commission and, where appropriate, forwarded to such other boards, commissions or committees as may have an interest in the subject matter. Any projects or recommendations so forwarded shall contain a copy of the original recommendation or project report received by the planning commission, together with planning commission comments, and shall direct that the project report or recommendation be returned to the planning commission within thirty days, with appropriate comments by the board, commission or committee to which referral was made.

Following review by the planning commission, and the receipt of recommendations and comments from other boards, commissions or committees, if such comments were requested and supplied within the thirty (30)-day period, the planning commission shall forward the original project or recommendation, through staff, to the City Council, together with any planning commission comments or recommendations, and comments or recommendations of any other boards, commissions or committees;

- I. Review, discuss and analyze such work products and projects as may be referred to the commission by the council, or staff, and insure that any such work products or projects are referred to the board of adjustment or parks and recreation commission, in instances wherein those boards, commissions or committees would have an interest in the subject matter, and are referred to other City boards, commissions or committees through staff, where such other boards, commissions or committees would have an interest in the subject matter;
- J. Form, subject to advance approval of the City Council, ad hoc committees from within as well as outside its membership, to study specific problems or projects which may arise from time to time. The Planning Commission shall at all times be available for citizen input concerning any matter which the commission is considering, or may consider;
- K. The administrative staff of the City as assigned by the City Manager shall provide staff assistance and serve as liaison between the planning commission and those boards, commissions or committees not represented on the planning commission, and shall also serve to facilitate communication by the planning commission to the City Council. (Ord. 23 1.05: Ord. 567 1.01: Ord. 595 1.03: Ord. 715 1.01: Ord. 806 1.16: Ord. 40-98: Ord. 38-05).

2.16.060 Reports

The commission, at or before its first regular meeting of February of each year, except 1959, shall make a full report in writing to the council of its transactions during the preceding year, with such general recommendations as it may deem proper. (Ord. 23 1.06).

2.16.070 Severability

The invalidity of any article, section, subsection, provision, clause or portion thereof, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of this chapter or the validity of its application to other persons or circumstances. (Ord. 23 1.08).

Chapter 2.17 – Arts Commission**Sections:**

- 2.17.010 Purpose**
- 2.17.020 Arts Commission Created**
- 2.17.030 Removal-Vacancies**
- 2.17.040 Meetings, Officers, Records, and Quorum**
- 2.17.050 Functions and Duties**
- 2.17.060 Expenditures and Budget**
- 2.17.070 Staff Assistance**

2.17.010 Purpose

The purpose and intent of this chapter is to make available to the City Council and staff an advisory body to provide expertise on visual, performing, and literary arts (described as “art” hereafter) as cultural enrichment opportunities. The committee will also encourage and support art in Richland to improve quality of life, strengthen economic development, and revitalize the community. (Ord. 13-04)

2.17.020 Arts Commission Created

There is hereby created within the City of Richland an Arts Commission composed of nine (9) adult members and one (1) youth member between the age of 16 and 19 appointed by the City Council. Adult commission members shall be appointed for a term of three (3) years each. Youth commission members shall be appointed for a term of one (1) year each.

The commission members shall be selected without regard to political affiliation and shall serve without compensation. The City Council wishes to balance the commission between people who are involved in the making of art and those who enjoy art. Therefore the City Council shall strive to include at least four people who are in each of the following professions: visual arts, literary arts, performing arts, and design arts. Design arts include architecture, landscape architecture, interior design, and graphic arts. There may be no more than five people involved in making art. The remaining commission members shall represent the community at large. In making appointments to the committee, the City Council shall strive to appoint individuals with multiple skills, experience and expertise from various disciplines and backgrounds applicable to the committee’s purpose. Selection of members shall follow established procedures as set forth in Richland Municipal Code, 2.04.120. (Ord. 13-04; Ord. 27:04; Ord. 10-09)

2.17.030 Removal-Vacancies

The committee may, by majority vote, recommend to the City Council removal of an appointed member upon such grounds as may be deemed appropriate. The City Council, by majority vote, may remove any appointed member of the committee and declare the position vacant. Vacancies occurring otherwise than by expiration of term shall be filled for any unexpired term in the manner used for regular appointments. Workshops shall be excluded from the definition of meetings for the purposes of this section. (Ord. 13-04)

2.17.040 Meetings, Officers, Records, and Quorum

The committee shall elect its own chairperson, vice-chairperson and create and fill such other offices as it may determine it requires. The committee shall hold regular monthly meetings no less than every second month with the first annual meeting to be held in February of each calendar year. It shall adopt rules for transaction of business and shall keep a record of its meetings, resolutions, transactions, findings and determinations, and which record shall be open to public inspection.

Four (4) members of the committee or at least one half of the total members, rounded up to the nearest whole number, shall constitute a quorum for the transaction of business. An agenda shall be prepared and distributed prior to each meeting including individual items of committee business that are intended to be discussed. (Ord. 13-04)

2.17.050 Functions and Duties

The arts commission shall perform the following functions:

- A. Provide recommendations to the City Council on artistic endeavors in which the City becomes involved and act as a representative of the community in such matters;

- B. Serve as the central commission to whom individuals and groups may bring their concerns and ideas with regard to the arts;
- C. Encourage donations, grants and other support to further expand art opportunities in Richland;
- D. Explore ways and implement methods of obtaining financial support through development of private, local, state and federal funds and establishing public/private partnerships to promote art within the community;
- E. Explore and promote arts related projects, events and businesses that provide an economic benefit and/or beautify and enhance the image of the City;
- F. Engage in long range art planning and implementation of the Strategic Art Plan and review City plans for the purpose of integration of arts elements into City planning including education, public finance, community services, etc.
- G. Recognize artistic contributions made by individuals and organizations to the City and provide recognition and encouragement to local artists;
- H. Review and make recommendations on all works of art acquired by the City; and
- I. Review and recommend policy for acquiring, maintaining, and displaying the City's art collection. (Ord. 13-04; Ord. 10-09)

2.17.060 Expenditures-Budget

The expenditures of the committee, exclusive of donations, shall be limited to appropriations. All services requiring appropriations shall be submitted through the budget of the City's Community Development Department. Provided, however, that the services of outside consultants may be obtained for a temporary period of time when specifically authorized by the City Council. (Ord. 13-04)

2.17.070 Staff Assistance

The staff of the various departments within the City, as assigned by the City Manager, shall provide staff assistance and shall also serve to facilitate communications by the Arts Commission to the City Council. (Ord. 13-04)

Chapter 2.18 - Parks and Recreation Commission**Sections:**

- 2.18.005 Purpose**
- 2.18.010 Membership**
- 2.18.020 Removal-Vacancies**
- 2.18.030 Meetings, Officers, Records, and Quorum**
- 2.18.035 Rules and By-Laws**
- 2.18.040 Duties**
- 2.18.050 Expenditures-Budget**
- 2.18.060 Staff Assistance**

2.18.005 Purpose

The purpose and intent of this chapter is to make available to the City Council and staff an advisory body to provide additional expertise and citizen input relative to the provision of facilities and programs for recreation, environmental and cultural preservation and education and civic beautification in order to enhance the quality of life. (Ord. 42-92; Ord. 40-98; Ord. 18-09).

2.18.010 Membership

There is created a Parks and Recreation Commission (hereinafter referred to as "Commission") composed of seven (7) adult and two (2) youth members, all of whom have Commission voting privileges, who shall be appointed by the City Council. The two (2) youth members shall serve one (1)-year terms. The adult members shall serve staggered three (3)-year terms and until their successors are appointed and confirmed. Members shall be selected without regard to political affiliation and shall serve without compensation. Members shall be residents of Richland or attend Richland schools. Selection of members shall follow established procedures as set forth in the Richland Municipal Code, 2.04.120. (Ord. 303; Ord. 742; Ord. 7-74; Ord. 59-77 1.02; Ord. 7-80 1.04; Ord. 10-85; Ord. 39-90; Ord. 40-91; Ord. 22-95; Ord. 12-98; Ord. 40-98; Ord. 14-03; Ord. 18-09).

2.18.020 Removal-Vacancies

The Commission may, by majority vote, recommend to the City Council removal of an appointed member upon such grounds as may be deemed appropriate. The Council, by majority vote, may remove any member of the Commission and declare the position vacant. Vacancies occurring other than by expiration of terms shall be filled for the unexpired terms in the manner used for regular appointments to the Commission. (Ord. 303 1.01; Ord. 59-77 1.03; Ord. 40-91; Ord. 40-98; Ord. 14-03; Ord. 18-09).

2.18.030 Meetings, Officers, Records, and Quorum

The Commission shall hold monthly and/or special meetings at least ten (10) times each year; shall adopt rules for transaction of business; shall elect a chairperson and vice-chairperson each year at the last regular meeting, and fill such other offices as deemed necessary. The City Clerk's office shall keep records of meetings, resolutions, transactions, findings and determinations. These records shall be open to public inspection. All meetings shall be conducted following Robert's Rules of Order, be open to the public and shall be advertised in advance; the Commission shall encourage public comment on major items. Five (5) members of the Commission shall constitute a quorum for the transaction of business. In the event of a vacancy (or vacancies), a quorum shall be a majority of the remaining members, however, not to be less than four (4) members. (Ord. 42-92; Ord. 28-93; Ord. 22-95; Ord. 40-98; Ord. 18-09).

2.18.035 Rules and By-Laws

The Commission shall adopt by-laws, rules and regulations for the proper conduct of business of the Commission. The by-laws, rules and regulations are subject to the approval of the City Council. (Ord. 18-09)

2.18.040 Duties

The commission shall perform the following duties:

- A. Serve as an advisor to the City Council in order to promote parks, trails, open space and recreation for the City.
- B. Provide recommendations to the Council and, as appropriate, to other boards and commissions, on matters related to the provision of parks and recreation facilities and services that promote healthy

lifestyles and contribute to the quality of life for all citizens. In this role, the Commission shall seek public input at regular monthly meetings, neighborhood meetings, master plan meetings and as needed to determine the public view on parks and recreation matters.

- C. Regularly review and provide recommendations to the Council on updating the Parks, Trails and Open Space Master Plan and the individual venue master plans based on needs assessment, utilization data, staff proposals, and public input.
- D. Review and recommend to the Council, priorities for the Parks and Recreation portion of the annual Capital Facilities Plan and for trail and streetscape portions of the Transportation section of this plan. Review and recommend to Council, Park Reserve Fund appropriations, Park Partnership projects, applications for grants, park impact fees, and donations.
- E. Review, comment and make recommendations on the annual City long range transportation plan with respect to bicycle lanes, trails and multi-use trails.
- F. Review and make recommendations to the Council on park and recreational facility names and site selection of art in park and recreation lands.
- G. Review and recommend to the Council rules and regulations for the use of public grounds, facilities and equipment.
- H. Support cooperative and collaborative partnerships with the Richland School District, neighboring communities, Native American organizations and other governmental jurisdictions to promote healthy lifestyle opportunities.
- I. Designate from its members liaison representatives to such City boards, commissions and committees or other organizations as may be necessary to promote parks, trails, open space and recreation, e.g. Richland Arts Commission and Mid-Columbia Community Forestry Council and as directed by Council.
- J. Review and recommend to the Council, proposed amendments to the City code for events, concessions or use of facilities on park property and make recommendations on leases of City park property.
- K. Review, comment and make recommendations to the Planning Commission and City Council on applications for substantial development of shorelines or wetlands.
- L. Review, analyze and provide comments or recommendations on matters referred to the Commission by City staff, Council or other boards, commissions or committees.
- M. Adopt annual Commission goals and, at a regular Council meeting during the first quarter of the year, report to Council on the past year's Commission activities and progress and submit goals for the new year. (Ord. 303: Ord. 806: Ord. 45-76 1.02: Ord. 59-77: Ord. 10-85: Ord. 4-89: Ord. 42-92: Ord. 28-93: Ord. 40-98; Ord. 38-05; Repealed and Reenacted by Ord. 18-09).

2.18.050 Expenditures-Budget

The expenditures of the Commission shall be limited to appropriations. All services requiring appropriations shall be submitted through the annual budget process. (Ord. 42-92; Ord. 40-98; Ord. 18-09).

2.18.060 Staff Assistance

The Parks and Recreation Department shall provide staff assistance and serve as liaison to the Commission and facilitate communication by the Commission to other boards, commissions or committees as appropriate, and City Council. The Department presents to the Commission its recommendations on matters as specified above or on matters referred to the Commission. The Department staff presents the Commission's recommendations to the City Council. (Ord. 42-92; Ord. 40-98; Ord. 18-09).

Chapter 2.19 - Management of the Municipal Parking Areas**Sections:**

- 2.19.005 Purpose**
- 2.19.010 Central Business District Parking Committee**
- 2.19.020 Removal - Vacancies**
- 2.19.030 Meetings, Officers, Records, and Quorum**
- 2.19.040 Duties of the Committee**
- 2.19.050 Expenditures - Budget**
- 2.19.060 Staff Assistance**

2.19.005 Purpose

The purpose and intent of this chapter is to establish and make available a standing committee consisting of merchants and/or owners of property in the Uptown and Downtown parking areas to review those requests for use of facilities submitted to the committee. The committee will develop criteria, regulations, insurance and liability requirements and code of conduct for the users who are approved to use the Uptown and Downtown parking areas during the calendar year. Fees shall be established based upon criteria established by the committee and administered by the City of Richland. The committee will provide the function of formulating and recommending to the Deputy City Manager for Community and Development Services a decision to accept or deny an application for use of the facility. A primary consideration shall be the impact such use may have on businesses currently located in the Uptown and Downtown parking areas. The recommendation to the Deputy City Manager for Community and Development Services shall be made in writing within five (5) days of the meeting to review the application. The decision will be forwarded to Community and Development Services Group in order to be communicated to the applicant. It is understood that this is a recommendation only and the ultimate determination on use shall remain with the City. (Ord. 26-94: Ord. 31-03).

2.19.010 Central Business District Parking Committee Created

There is created within the City of Richland, the Central Business District Parking Committee. The committee will be composed of five (5) merchants or owners appointed by the City Council. To qualify for service on the committee, the member must either own or operate a business in the Uptown Shopping Center or own property in the Uptown Shopping Center. In the event that the City acquires ownership of the Downtown Shopping Area parking lots, eligibility for membership will also be extended to those who operate businesses or own property in the Downtown shopping area and the size of the committee will be expanded to seven (7) persons. Members shall serve staggered two (2)-year terms and until their successors are appointed and confirmed.

The members of the committee shall be selected by the City Council without regard to political affiliation and shall serve without compensation. The committee shall consist of the current President of the Uptown Merchants Association, the first past President of that Association and one (1) member of the Association with a demonstrated interest in increasing business activity in the Uptown business area.

Additionally, the current President of the Uptown Property Owners Association and another interested property owner will constitute the membership of this committee. If the ownership for the Downtown parking areas are acquired and the membership of the committee increases, the committee shall also include the current President of the Downtown Merchants Association and one (1) other member of the Association with a demonstrated interest in increasing business activity in the Downtown business area. Efforts shall be made to include members on the committee who are available in the community so as to make the process efficient and allow for timely review and response to applicants. Selection of members shall follow established procedures as set forth in Richland Municipal Code, 2.04.120. The City of Richland will be represented at the review meetings by a member of the Community Development staff for early involvement and to prepare for smooth administration and communication. (Ord. 26-94: Ord. 31-03)

2.19.020 Removal - Vacancies

The committee may, by majority vote, recommend to the City Council the removal of an appointed member upon such grounds as may be deemed appropriate by the committee. The City Council, by majority vote, may remove any appointed member of the committee and declare the position vacant. Unexcused absences from any two (2) consecutive meetings shall be grounds for removal. Vacancies shall be filled in the manner used for regular appointments to the committee. (Ord. 26-94: Ord. 40-98).

2.19.030 Meetings, Officers, Records, and Quorum

- A. The committee shall elect its own chairperson and vice- chairperson and create and fill such other offices it may determine it requires. The committee shall meet initially for the purpose of establishing its operating procedures. It will then meet only at such time as an application has been received by the City for use of municipally owned property in the central business district. A written record shall be kept of its meetings and the recommendations it makes to the City.
- B. Three (3) members of the committee shall constitute a quorum for the decision to make a recommendation to the City. (Ord. 26-94).

2.19.040 Duties of the Committee

The committee shall perform the following duties:

- A. The committee shall serve as a representative of central business district interests in reviewing and recommending to the Community and Development Services Group the calendar of uses for the calendar of uses for the municipally owned parking area.
- B. The committee shall maintain a written log of activities in which it is involved and shall report to the City Council in written format annually of its involvement on behalf of the City. (Ord. 26-94: Ord. 31-03).

2.19.050 Expenditures - Budget

The expenditures of the committee shall be limited to City of Richland staff involvement. The committee itself shall not receive any funding by the City of Richland and members shall serve as volunteers without compensation. There shall be no additional services or facilities provided by the City of Richland. (Ord. 26-94).

2.19.060 Staff Assistance

The City's Community and Development Services Group shall provide staff liaison assistance to the committee and shall serve to facilitate communications by the committee to the City Council and to applicants for use of the parking area. The Community and Development Services Group will be responsible for coordinating the activities of other municipal departments involved in parking area maintenance and financing as they relate to the committee's deliberations. (Ord. 26-94: Ord. 31-03).

Chapter 2.20 – Code Enforcement Board**Sections:**

- 2.20.010 Code Enforcement Board Creation**
- 2.20.020 Membership**
- 2.20.030 Removal-Vacancies**
- 2.20.040 Meetings, Officers, Records and Quorum**
- 2.20.050 Powers and Duties**
- 2.20.060 Expenditures and Budget**
- 2.20.070 Staff Assistance**

2.20.010 Code Enforcement Board Creation

There is created a Code Enforcement Board (hereinafter referred to as the "Board") for the City of Richland. The Board shall hear appeals and render decisions regarding civil violations of the Richland Municipal Code. (Ord. 05-10)

2.20.020 Membership

- A. The Board shall be composed of five (5) voting members appointed by City Council. All members of the Board shall be residents of the City of Richland, both at the time of their appointment and for the full term of their appointment. Selection of members shall follow established procedures as set forth in Richland Municipal Code, 2.04.120. Members initially appointed shall serve the terms designated in section 2.20.020(B) but thereafter shall serve staggered two (2)-year terms and until their successors are appointed and confirmed. No person shall serve more than four (4) terms or eight (8) consecutive years. In the instance of an appointment to fill a vacancy for an unexpired term, a full term shall be considered a period in excess of one (1) year.
- B. The term for the first appointed Board members shall commence and terminate as follows:
 - Position No. 1 – April 30, 2010 to May 1, 2012
 - Position No. 2 – April 30, 2010 to May 1, 2012
 - Position No. 3 – April 30, 2010 to May 1, 2012
 - Position No. 4 – April 30, 2010 to May 1, 2013
 - Position No. 5 – April 30, 2010 to May 1, 2013 (Ord. 05-10)

2.20.030 Removal-Vacancies

The Board may by majority vote, recommend to the City Council removal of an appointed member upon such grounds as may be deemed appropriate. The City Council, by majority vote, may remove any appointed member of the committee and declare the position vacant. Vacancies created by removal of office, resignation, change in residency outside of the City of Richland or for any other reason, other than by expiration of term, shall be filled for any unexpired term in the manner used for regular appointments. (Ord. 05-10)

2.20.040 Meetings, Officers, Records, and Quorum

The Board shall elect its own chairperson and vice-chairperson and create and fill such other offices as it may determine it requires. The committee shall hold regular meetings at a time to be determined at the first meeting of each year. All meetings shall be open to the public and a specific time period will be provided on the agenda to receive public comments. It shall adopt rules for transaction of business and shall keep a record of its meetings, resolutions, transactions, findings and determinations, which record shall be open to public inspection.

Any three (3) members of the Board shall constitute a quorum for the transaction of business. An agenda shall be prepared and distributed prior to each meeting, which sets forth a specified time period during which individual items of business shall be discussed. The time period may be extended, but only by a vote of a majority of Board members present. Board action requires three (3) affirmative votes of those present and any regular or special meeting. (Ord. 05-10)

2.20.050 Powers and Duties

The Code Enforcement Board's express mission and purpose shall include the following:

- A. Conduct hearings on civil violations of the Richland Municipal Code;
- B. Determine whether the City has established by a preponderance of the evidence that a civil violation of the Richland Municipal Code has occurred;
- C. Assess monetary penalties in instances where it has been determined that civil violations of the Richland Municipal Code have occurred;
- D. Adopt rules of procedure for hearings concerning civil violations of the Richland Municipal Code;
- E. Act in an advisory capacity to the City Council, City Manager and staff in matters relating to code enforcement and civil violations;
- F. Perform such other duties and provide such additional information, assistance and advice to the City Council as the City Council may request or direct. (Ord. 05-10)

2.20.060 Expenditures-Budget

The expenditures of the committee, exclusive of donations, shall be limited to appropriations. All services requiring appropriations shall be submitted through the budget of the Police Services Department. (Ord. 05-10)

2.20.070 Staff Assistance

The staff of the various departments within the city, as assigned by the City Manager, shall provide staff assistance and shall also serve to facilitate communications by Code Enforcement Board to the City Council. (Ord. 05-10)

Chapter 2.24 - Bonds for Officers and Employees

Sections:

- 2.24.010 Officer's Bonds-General Requirement**
- 2.24.020 Positions-Amounts**
- 2.24.030 Blanket Bond**
- 2.24.040 Bonds-Form-Sufficiency**
- 2.24.050 Applicability**
- 2.24.060 Persons Serving in Two or More Offices**
- 2.24.070 Blanket Bond-Call for Bids**

2.24.010 Officer's Bonds-General Requirements

Every officer of the City filling the positions designated in Section 2.24.020 of this chapter, whether on a permanent, temporary or acting basis, shall each be bonded by a position bond conditioned on the faithful and proper performance of his duties and for the payment and delivery over of all moneys and property belonging to the city, as provided by law. (Ord. 92 1.01).

2.24.020 Positions-Amounts

The following officers shall be bonded in the following amounts:

City Manager	\$50,000.00
Director of Finance	50,000.00
Police Judge	5,000.00
Accounting Supervisor-Treasurer	25,000.00
Purchasing Supervisor	10,000.00
(Ord. 92 1.02).	

2.24.030 Blanket Bond

Every other officer and employee of the City shall be bonded by a public employee's faithful performance blanket position bond.

The bond shall be conditioned to identify and save the City harmless from any and all loss sustained by the City due to theft, dishonesty, fraudulent conduct, or failure of the officer or employee to faithfully perform the duties of his office or position.

The amount of liability for each officer or employee covered by the bond shall be five thousand dollars (\$5,000.00). (Ord. 92 1.03: Ord. 40-98).

2.24.040 Bonds-Form-Sufficiency

All bonds under this chapter shall be furnished with a surety company lawfully authorized to do business in the state of Washington as surety thereon; each bond shall be for a two (2)-year period; and the premiums on the bonds shall be paid by the City on vouchers duly certified as provided by law. The City Attorney shall approve the form of all such bonds. The director of finance shall approve the sufficiency of all such bonds except the bond of the director of finance, the sufficiency of which shall be approved by the City Manager. All such bonds shall be filed with the director of finance, except that the bond of the director of finance shall be filed with the City Manager.

No bond shall be held void because of any defect in form, recital, condition or substance, nor shall any principal or surety be discharged from liability thereon because of any such defect. This provision shall be included in every such bond. (Ord. 92 1.04).

2.24.050 Applicability

No officer or employee shall enter upon his duties unless he is covered by a bond required herein, except that officers and employees may enter upon their duties without being covered by bonds for a period not exceeding thirty (30) days after the effective date of this chapter. (Ord. 92 1.05: Ord. 40-98).

2.24.060 Persons Serving in Two or More Offices

Any person who shall serve at the same time in two (2) or more offices or positions requiring bonds under this chapter shall only be bonded in an amount equal to that required for that office or position which he fills requiring the greatest amount of liability coverage, but the bond shall apply to all offices or positions filled by that person. (Ord. 92 1.06: Ord. 40-98).

2.24.070 Blanket Bond-Call for Bids

The City Manager may call for bids to furnish a public employees' faithful performance blanket position bond which bond shall contain the conditions herein prescribed and such additional conditions as are usual and as are set forth in the form of any such bond which shall accompany each bid submitted. (Ord. 92 1.07).

Chapter 2.26 - Conduct of Public Officials and Public Employees-Code of Ethics

Sections:

- 2.26.010 Code of Ethics-Necessity**
- 2.26.020 Definitions**
- 2.26.030 Certain Privileges or Exemptions Prohibited**
- 2.26.040 Incompatible Employment or Activity Prohibited**
- 2.26.050 Confidential Information-Disclosure Prohibited**
- 2.26.060 Financial, Personal Interest-Disclosure Required**
- 2.26.062 Conduct of Council Members**
- 2.26.063 Conduct of Board, Commission, and Committee Members**
- 2.26.064 Violation and Penalties**
- 2.26.110 Findings Open to Public-Exceptions**
- 2.26.115 Initiation of Appropriate Action**
- 2.26.120 Public Official or Public Employee-Violation**
- 2.26.130 False Charge-Violation**

2.26.010 Code of Ethics-Necessity

In keeping with the policies declared by the state legislature in enacting codes of ethics for state officials, it is recognized that high moral and ethical standards among City officials are equally essential to the conduct of local and state government; that a code of ethics for the guidance of City officials is necessary in order to prevent conflicts of interest in public office, improve standards of public service, and promote and strengthen the faith and confidence of the people of the City in their governing body. The council ethics and administration committee will initially receive and process complaints or allegations of violations of the City of Richland's code of ethics. (Ord. 432 1.01: Ord. 40-98).

2.26.020 Definitions

- A. "Public official" means all elected City officials including the mayor and members of the City Council, together with appointive members of City boards, commissions and committees and all other persons in the unclassified services as defined in Section 2.28.070. "Public employee" means all persons in the classified services as defined in Section 2.28.016.
- B. "Special" privileges or exemptions, and "personal" interests relate to privileges, exemptions or interests which are peculiar to an individual, as distinct from the rights and interests of the public generally, or identifiable classes of the public. (Ord. 432 1.01: Ord. 58-76 1.02: Ord. 3-97: Ord. 40-98).

2.26.030 Certain Privileges or Exemptions Prohibited

No public official or public employee shall use his position to secure special privileges or exemptions for himself, his spouse, child, parents, other persons or employers. Nor shall any public official or public employee accept anything of value that may tend to influence him in the discharge of his duties, or which could have influenced him in the discharge of his past duties. (Ord. 432 1.01: Ord. 58-76 1.03).

2.26.040 Incompatible Employment or Activity Prohibited

No public official or public employee shall engage in or accept private employment or render services for private individuals or entities or engage in any business or professional activity when the employment, service or activity is incompatible with the proper discharge of his official duties, or when it would require or induce him to disclose confidential information acquired by him by reason of his official position. (Ord. 432 1.01: Ord. 58-76 1.04).

2.26.050 Confidential Information-Disclosure Prohibited

No public official or public employee shall, except as required in the performance of his duties, or in the course of any conduct reasonably believed to be in the performance of his duties, disclose confidential information gained by reason of his official position, nor shall he otherwise use the information for his personal interest. Confidential information shall include:

- A. Personnel information applications, and any files maintained for City employees, appointees or elected officials;

- B. Information required of any taxpayer or City license holder in connection with the assessment or collection of any tax or license fee if the disclosure of the information to other persons would tend to violate the taxpayer or licensee's right to privacy or may result in unfair competitive disadvantage to such taxpayer or licensee;
- C. Specific intelligence information and specific investigative files compiled by investigative law enforcement and penology agencies and those state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.
- D. Information revealing the identity of persons who file complaints with investigative law enforcement or penology agencies; except as the complainant may authorize;
- E. Test questions, scoring keys and other examination data used to administer license, employment or civil service examination;
- F. Except as provided by RCW Chapter 8.26, the contents of any real estate appraisals made for or by any agency, including the City relative to the acquisition of property by the City until the project is abandoned or until such time as all of the property has been acquired, but in no event shall disclosure be denied for more than three (3) years after the date of the appraisal;
- G. Valuable formula, designs, drawings and research data obtained or produced by the city, its officers, employees and agents within five (5) years of any request for disclosure thereof, when disclosure would produce private gain and public loss;
- H. Preliminary drafts, notes, recommendations and intra-agency memorandums in which opinions are expressed or policies formulated or recommended, except that a specific record shall not be exempt when publicly cited by an agency in connection with any agency action;
- I. Records which are relevant to a controversy to which the City or any of its officers, employees or agents is a party and would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts;
- J. Any other information as is declared confidential by other specific statutes;
- K. The confidential areas hereinabove listed shall be inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital governmental interest, can be deleted from the specific records sought. (Ord. 432 1.01: Ord. 58-76 1.05).

2.26.060 Financial and Personal Interest-Disclosure Required

A council member who has a financial or other private or personal interest in any ordinance, resolution, or other action pending before the City Council shall disclose on the records of the council the nature and extent of the interest, and the interest as disclosed shall be incorporated in the minutes of the council's proceedings. This provision shall not apply if the council member disqualifies himself from participating in any discussion and vote on the matter under consideration. The disclosure shall include but shall not be limited to the following:

- A. The name of any private business corporation, firm, or enterprise affected by the councilmanic action, of which the council member or the marital community is or has been during the preceding twelve (12) months a shareholder, bondholder, secured creditor, partner, joint entrepreneur or sole proprietor, where the total value of the member's individual or undivided legal or equitable financial interests therein as the shareholder, bondholder, secured creditor, partner, joint entrepreneur or sole proprietor is, and at any time during the preceding twelve (12) months has been, in excess of one thousand dollars (\$1,000.00);
- B. The name of any such private business or corporation, firm, or enterprise of which the member or his spouse is or has been during the preceding twelve (12) months an officer, director, partner, attorney, agent or employee who, for services rendered during the preceding twelve (12)-month period or to be rendered in any such capacity has received or been promised compensation equaling or likely to equal an amount in excess of one thousand dollars (\$1,000.00). (Ord. 432 1.01: Ord. 58-76 1.06: Ord. 40-98).

2.26.062 Conduct of Council Members

Council members will hereafter conduct themselves according to the following rules of conduct as they pertain to work for and on behalf of the City of Richland:

- A. A council member shall maintain decorum and set an example for conduct when the council member represents the city. Council members shall conduct themselves so as not to bring disgrace or embarrassment upon the city.

- B. A council member shall always represent that opinions stated are the member's own and do not necessarily represent those of the council unless the council has voted and passed an ordinance, resolution or motion that so states the expressed policy.
- C. If a council member writes to a citizen, the member may use City stationery. However, the form and language must clearly state that opinions are those of the writer unless the council has taken some official action. The council member shall sign his/her name as "Mayor," "Mayor Pro Tem" or "Council Member" as applicable.
- D. A council member must obtain approval of the council by motion to represent the City to any organization if the City financially supports the organization.
- E. A council member must obtain approval of the council by motion to attend any activity for which the City will pay five hundred dollars (\$500.00) or more for travel and other expenses.
- F. A council member shall not divulge the discussions held in executive session until or unless:
 - 1. The discussions have become public by some other means of which the council member is not a voluntary participant,
 - 2. The council itself has made the discussion public, or
 - 3. The reason for secrecy has passed.
- G. A council member shall make public any conflict of interest the member has with respect to any issue under consideration by the council. The nature of such conflict need only be described in terms that make clear the existence of a conflict. The council member shall not participate in discussions of the subject and shall not vote on it if:
 - 1. The council member has a personal, financial or property involvement in the subject,
 - 2. The council member has close professional or social ties to the participants, or
 - 3. The ordinances of the City of Richland or the statutes of the state of Washington prohibit the member's involvement.

If the council member has only a casual association with the subject or parties, the member must state the relationship, and then may fully participate.
- H. A council member shall not use his/her office for personal gain, especially financial gain, including particularly the acceptance of gifts and gratuities.
- I. A council member shall not make false statements on which the council, City staff or other agencies rely to establish policy or make important decisions. A council member violates this rule if he/she knows it is untrue, or if the person has knowledge that would lead a reasonable person of ordinary prudence to conclude that the statement is untrue. (Ord. 15-92; Ord. 40-98; Ord. 12-09).

2.26.063 Conduct of Board, Commission and Committee Members

Members of council appointed boards, commissions and committees (hereinafter referred to as members) shall hereafter conduct themselves according to the following rules of conduct as they pertain to work for, and on behalf of, the City of Richland:

- A. A member shall maintain decorum and set an example for conduct when the member represents the city. Members shall conduct themselves so as not to bring disgrace or embarrassment upon the city.
- B. A member shall always represent that opinions stated are the member's own and do not necessarily represent those of the board, commission or committee of which he/she is a member unless the body has voted and approved a motion, resolution or other action supporting such statements.
- C. All motions, resolutions, and other actions of boards, commissions, and committees shall be consistent with council policy unless the intent of such an action is to recommend a change in policy to the council.
- D. A member may write letters on City stationery and direct other communications to citizens and others about matters related to the member's board, commission, or committee. However, the form and language must clearly state that opinions are those of the member unless the body or council has taken some official action. Such letters shall not promise or imply that the City or any of its subsidiary organizations will make any particular decision or undertake any particular activity. The member shall sign his/her name as "chairperson," "vice-chairperson" or board/commission/committee member," as applicable, on written communications.
- E. A member must obtain approval of the member's board, commission or committee, by motion, to represent the body to any other organization. The City Council must approve if:
 - 1. The purpose is to participate in decision making; and/or
 - 2. The City will spend one hundred dollars (\$100.00) or more; and/or
 - 3. The member intends to travel outside the Tri-Cities area on City business.
- F. A member shall not divulge the discussions held in executive session until or unless:

1. The board, commission or committee itself, or the City Council has made the discussion public; or
 2. The reason for the secrecy has passed.
- G. A member shall make public any conflict of interest the member has with respect to any issue under consideration by the member's board, commission or committee. The nature of such conflict need only be described in terms that make clear the existence of a conflict. A member shall not participate in discussions of the subject and shall not vote on it if:
1. The member has a personal, financial or property involvement in the subject;
 2. The member has close professional or social ties to the participants; or
 3. The ordinances of the City of Richland or the statues of the state of Washington prohibit the member's involvement.
- If the member has only a casual association with the subject or parties, the member must state the relationship and then may fully participate.
- H. A member shall not use his/her position for personal gain, especially financial gain, including particularly the acceptance of gifts or gratuities.
- I. A member shall not intentionally make false statements on which his/her board, commission or committee, or the City Council, City staff or other agencies rely in conducting the business of the city. A member violates this rule if he/she knows the statement is untrue, or if the person has knowledge that would lead a reasonable person of ordinary prudence to conclude that the statement is untrue. (Ord. 40-98).

2.26.064 Violation and Penalties

The following procedure will be implemented by the Council Ethics and Administration Committee when an alleged violation of the rules stated in Section 2.26.062 or Section 2.26.063 occurs:

- A. Any council member who believes that another council member, or member of a council-appointed board, commission or committee, has violated the council ethics rules, or any member of a board, commission or committee who believes another member of his/her board, commission or committee has violated the council ethics rules, shall submit a written statement of the purported violation to the Council Ethics and Administration Committee.
- B. The committee shall review the violation to determine whether adequate reasons exist to bring formal charges. The violator shall remove himself/herself from the committee if a member and the council shall substitute another council member for the review.
- C. The committee shall come to one (1) of the following conclusions:
 1. There is insufficient evidence to conclude that any particular violation has occurred. In this case, the committee shall keep any records confidential.
 2. The committee concludes there may have been a violation, in which case the committee may call for full review by the council in executive session.
- D. If the committee concludes there may have been a violation, the council shall classify the possible violation as major or minor in executive session. If the council determines that a minor violation has occurred, it shall pass an appropriate motion of censure at a public meeting. The violator may demand a public hearing for minor violations. A major violation shall result in a public hearing by the council. The council shall select one (1) of its members to present its findings at the hearing. The violator shall neither conduct the meeting during the hearing nor shall the member present the findings. The council shall give the accused council member or board, commission or committee member adequate time to prepare a case and to present the case at the public hearing. Both the council and accused member shall present their own cases but they may be accompanied by counsel during the proceedings. The council presenter and the accused may present witnesses who shall present their evidence upon oath. After hearing the evidence, the council shall determine whether the purported violation was major, minor or whether there is insufficient evidence to determine that a violation occurred. If the council determines that a violation occurred, they shall also establish a penalty commensurate with the violation. The council may remove the violator from the positions of mayor or mayor pro tem, if applicable, as part of the penalty if they deem it appropriate. (Ord. 15-92: Ord. 40-98).

2.26.110 Findings Open to Public-Exceptions

The record of the committee's findings and other records made or filed under this chapter shall be open to public inspection unless such designation is inconsistent with some other provision of law or this chapter; provided, that the council ethics and administration committee, in the conduct of any hearing or proceeding within its power, may make reasonable orders necessary for the protection of individuals who

may be incorrectly accused or who may be disproportionately harmed by premature disclosure; including orders that the committee's findings in a particular hearing shall not be open to public inspection pending the initiation of civil or criminal action by the city. However, the findings shall be made public within three (3) days from the time they are rendered; and provided further, that no such order shall have the result of precluding any enforcement agency from taking action within its own jurisdiction. (Ord. 432 1.01: Ord. 40-98).

2.26.115 Initiation of Appropriate Action

If the findings of the committee disclose a violation of this chapter, the City Attorney shall initiate appropriate action to effectuate the purposes of this chapter; provided, that if the findings of the committee disclose a violation by the City Manager or City Attorney, then the mayor shall initiate appropriate action to effectuate the purposes of this chapter. In that situation requiring special advice on matters of ethics, the council can convene an ad hoc citizen's committee to advise the City Council. (Ord. 58-76 1.09: Ord. 40-98).

2.26.120 Public Official or Public Employee-Violation

- A. Any public official or public employee who knowingly and willfully violates any provision of this chapter shall be guilty of a misdemeanor; provided, that the criminal sanctions herein set forth shall not apply to a violation of Section 2.26.050, its being the intent of the City Council that openness and free disclosure, in appropriate situations, not be hampered through fear of possible prosecution. In addition to the penalties herein provided, violation may constitute a cause for suspension, removal from office or employment, or other disciplinary action, which may include restitution or judicial action for recovery of any loss to the City that resulted from violation of this chapter.
- B. For the purpose of this section a public official or public employee acts knowingly or with knowledge when:
 - 1. He is aware of a fact, facts, or circumstances or result described by this chapter; or
 - 2. He has information which would lead a reasonable man in the same situation to believe that facts, circumstances, or results exist which are described by this chapter.
- C. The element of willfulness is satisfied if a public official or public employee acts knowingly with respect to the material elements constituting a violation of this chapter. (Ord. 432: Ord. 58-76 1.10: Ord. 4-85).

2.26.130 False Charge-Violation

Any person who files with the council ethics and administration committee a false charge of misconduct on the part of any public official or public employee when the person knows it is false, shall be guilty of a misdemeanor. In addition to the penalties herein provided any person convicted of a violation of this section shall also pay the costs and expenses of the committee's investigation. (Ord. 58-76 1.11: Ord. 432: Ord. 4-85: Ord. 40-98).

Chapter 2.28 - Personnel Plan

Sections:

Definitions

- 2.28.001 Introduction to Definitions
- 2.28.003 Appointment
- 2.28.005 Appointing Authority
- 2.28.006 "At Will" Employment - Unclassified Service Only
- 2.28.007 Certification List
- 2.28.010 Certify
- 2.28.014 Class
- 2.28.016 Classified Service
- 2.28.018 Continuous Service
- 2.28.020 Demotion
- 2.28.022 Department Director
- 2.28.024 Deputy City Manager
- 2.28.026 Division Manager
- 2.28.028 Employee
- 2.28.030 Examination
- 2.28.032 Exempt
- 2.28.036 Immediate Family
- 2.28.038 Intermittent Employee
- 2.28.040 Leave of Absence Without Pay
- 2.28.042 Non-Exempt
- 2.28.044 Original Appointment
- 2.28.046 Regular Full-Time Employee
- 2.28.048 Regular Part-Time Employee
- 2.28.050 Probationary Employee
- 2.28.052 Temporary Employee
- 2.28.053 Limited Term Employee
- 2.28.054 Probationary Period
- 2.28.056 Promotion
- 2.28.058 Provisional Employee
- 2.28.060 Recall List
- 2.28.062 Salary
- 2.28.064 Temporary Appointment
- 2.28.068 Transfer
- 2.28.069 Unaffiliated Staff
- 2.28.070 Unclassified Service
- 2.28.072 Vacancy
- 2.28.074 Reclassification
- 2.28.075 Contract Employee

General Provisions and Organization

- 2.28.105 Equal Employment Opportunity Policy
- 2.28.110 Scope
- 2.28.115 Human Resources Manager
- 2.28.120 Council
- 2.28.125 Personnel Committee-Composition and Organization
- 2.28.130 Personnel Committee-Powers and Duties
- 2.28.140 Compensation Plan for Unaffiliated Staff

Classification Plan

- 2.28.205 Classification Plan-Objective
- 2.28.210 Classification Plan-Structure
- 2.28.215 Classification Plan-Class Specifications

2.28.220 Classification Plan-Class Title Use Required**2.28.225 Classification Plan-Maintenance****Selection and Appointment****2.28.405 Recruitment****2.28.410 Application****2.28.415 Rejection of Applications****2.28.420 Examinations****2.28.425 Examination Results and Scores****2.28.430 Veteran's Preference****2.28.435 Appointing Authority****2.28.440 Certification List****2.28.445 Appointments****2.28.450 Expenditures Allowed-Exempt Personnel****2.28.455 Promotional Appointments****2.28.460 Provisional Appointments****2.28.465 Special Appointments****Conditions of Employment****2.28.515 Outside Employment****2.28.520 Service on City Advisory Boards, Committees and Commissions****2.28.525 Political Activities****2.28.530 Tenure of Employment-Classified Service****2.28.535 Tenure of Employment-Unclassified Service****2.28.550 Employment and Re-employment Rights of Members of the Uniformed Services****2.28.555 Employment Conflicting with City Interests: Non- Competitive Clause - Former Employee****Insurance Benefits****2.28.605 Insurance Benefits****Savings Clause****2.28.845 Savings Clause****Grievance Procedure****2.28.905 Grievance and Appeal Procedure****2.28.906 Personnel Committee Hearings****2.28.920 Severability****2.28.001 Introduction to Definitions**

The following terms, when used in this chapter, shall have the meanings ascribed to them in Sections 2.28.003 through 2.28.074 below. (Ord. 50-77 1.02: Ord. 3-97).

2.28.003 Appointment

"Appointment" means the assignment of a qualified person from a certification list to a position in the City service by the appointing authority. (Ord. 50-77 1.02: Ord. 3-97).

2.28.005 Appointing Authority

"Appointing authority" means the City Manager or other delegated authority who is empowered to appoint or remove employees of the department over which the City Manager or delegated authority has jurisdiction subject to the provisions of this chapter. (Ord. 50-77 1.02: Ord. 3-97).

2.28.006 "At Will" Employment - Unclassified Service Only

For purposes of this section, "at will" means that the affected employee is employed at the discretion and pleasure of the city. While many employment rules may be contained in this section, no other policy, practice or application of any rule shall be considered a contract or assurance of continued employment. The employee or the City may terminate employment in unclassified service for reasons that either considers sufficient. (Ord. 30-99).

2.28.007 Certification List

"Certification list" means a list of all persons who have qualified for appointment to positions within a certain class under the provisions of this chapter, with names arranged in order of qualifying scores in the examination. (Ord. 50-77 1.02: Ord. 3-97).

2.28.010 Certify

"Certify" means the act of the Human Resources Manager in supplying an appointing authority with the names of applicants who are eligible for appointment to the class and position for which certification is requested. (Ord. 50-77 1.02: Ord. 3-97).

2.28.014 Class

"Class" means a group of positions sufficiently similar in duties, responsibilities, salary range and minimum qualifications to permit combining them under a single title. (Ord. 50-77 1.02: Ord. 3-97).

2.28.016 Classified Service

"Classified service" means all positions not specifically included in the unclassified service and to exclude all job classifications covered by a collective bargaining agreement with the city. (Ord. 50-77 1.02: Ord. 3-97).

2.28.018 Continuous Service

"Continuous service" means employment in the City service as a regular or probationary employee which is uninterrupted except for authorized leave of absence or separation due to layoff; provided, that time lost due to layoff shall not be included in the determination of length of continuous service. (Ord. 50-77 1.02: Ord. 3-97).

2.28.020 Demotion

"Demotion" means the assignment of an employee from the employee's present position to another position providing a lower salary rate. (Ord. 50-77 1.02: Ord. 3-97).

2.28.022 Department Director

"Department director" means an employee designated by the City Manager to be the director of a department. (Ord. 50-77 1.02: Ord. 54-92: Ord. 3-97).

2.28.024 Deputy City Manager

"Deputy City Manager" means an employee designated by the City Manager to be deputy City Manager of a department. (Ord. 3-97).

2.28.026 Division Manager

"Division manager" means an employee designated by the City Manager, a deputy City Manager and/or a department director to be the operating manager of a division. (Ord. 50-77 1.02: Ord. 54-92: Ord. 3-97).

2.28.028 Employee

"Employee" means a person occupying a non-elected, budgeted position and who is paid for services rendered. (Ord. 50-77 1.02: Ord. 3-97).

2.28.030 Examination

"Examination" means that series of events and/or exercises which culminate in certification of a list of persons qualified for appointment to a particular position of a specified class. (Ord. 50-77 1.02: Ord. 3-97).

2.28.032 Exempt

"Exempt," as defined by the Fair Labor Standards Act, means a job classification exempt from the act which meets the test of a salaried employee in an executive, administrative or professional position. (Ord. 54-92: Ord. 3-97).

2.28.036 Immediate Family

"Immediate family" means that group of individuals including the employee's wife or husband, son, son-in-law, daughter, daughter-in-law, mother, mother-in-law, father, father-in-law, sister, sister-in-law, brother, brother-in-law, grandfather, grandmother, grandchild, or any person permanently residing with the employee. (Ord. 50-77 1.02: Ord. 3-97).

2.28.038 Intermittent Employee

"Intermittent employee" means an employee qualified to work in a specific position classification who is on call to work at irregular intervals in one (1) or more City departments. (Ord. 50-77 1.02: Ord. 3-97).

2.28.040 Leave of Absence Without Pay

"Leave of absence without pay" means an unpaid leave authorized by the deputy City Manager and/or department director for up to thirty (30) calendar days, and as authorized by the City Manager, a maximum of one (1) year except in the case of illness, injury or involuntary conscription. (Ord. 50-77 1.02: Ord. 3-97).

2.28.042 Non-Exempt

"Non-Exempt," as defined by the Fair Labor Standards Act, means a job classification not exempt from the act with entitlement to the application of said act. (Ord. 54-92: Ord. 3-97).

2.28.044 Original Appointment

"Original appointment" means the initial appointment from a certification list to a position in the City service. (Ord. 50-77 1.02: Ord. 3-97).

2.28.046 Regular Full-Time Employee

"Regular full-time employee" means any employee who is employed for a minimum of forty (40) hours per week, who has successfully completed a probation period in a position and who continues to successfully meet the requirements of that position as determined by the appointing authority. (Ord. 50-77 1.02: Ord. 54-92: Ord. 3-97).

2.28.048 Regular Part-Time Employee

"Regular part-time employee" means any employee in the classified service who has successfully completed a probation period and who is employed on a monthly average of twenty (20) or more, yet less than forty (40) hours per week. (Ord. 50-77 1.02: Ord. 54-92: Ord. 3-97).

2.28.050 Probationary Employee

"Probationary employee" means an employee who is serving a probationary period prior to being appointed as a regular full-time employee or a regular part-time employee. (Ord. 50-77 1.02: Ord. 3-97).

2.28.052 Temporary Employee

"Temporary employee" means any employee whose tenure is eight (8) months or less, and who may occupy either a full-time or part-time position. Temporary employees have no right to steady employment, prior notice of termination or preference for regular full-time job openings. (Ord. 50-77 1.02: Ord. 3-97).

2.28.053 Limited Term Employee

"Limited term employee" means a temporary employee whose tenure is greater than eight (8) months but no longer than twenty-four (24) months, and who may occupy either a full-time or part-time position. Limited term employees have no right to steady employment, prior notice of termination or preference for regular full-time or part-time job openings. (Ord. 25-07)

2.28.054 Probationary Period

"Probationary period" means a working test period of six (6) months during which an employee is required to demonstrate the ability and capacity to perform the duties of the position to which the employee has been appointed. (Ord. 50-77 1.02: Ord. 3-97).

2.28.056 Promotion

"Promotion" means the assignment of an employee from a position in one class to another class providing a higher salary rate. (Ord. 50-77 1.02: Ord. 3-97).

2.28.058 Provisional Employee

Pending the establishment of a certification list, "provisional employee" means any employee temporarily assigned to a position without having participated in an examination, provided that such assignment does not exceed four (4) months. (Ord. 50-77 1.02: Ord. 3-97).

2.28.060 Recall List

"Recall list" means a listing, by class, of regular full-time or regular part-time employees who have been separated from the classified City service by reduction of force. (Ord. 50-77 1.02: Ord. 54-92: Ord. 3-97).

2.28.062 Salary

"Salary" means the compensation paid to an employee for services rendered as set forth in the city's salary classification plan. (Ord. 50-77 1.02: Ord. 3-97).

2.28.064 Temporary Appointment

"Temporary appointment" means an appointment for a period of eight (8) months or less to meet a seasonal or other short-term need. (Ord. 50-77 1.02: Ord. 3-97: Ord. 25-07).

2.28.068 Transfer

"Transfer" means the assignment of an employee from one position, division or department to another position, division or department. (Ord. 50-77 1.02: Ord. 3-97).

2.28.069 Unaffiliated Staff

"Unaffiliated staff" means classified and unclassified (excluding elected and appointed) employees who are not subject to union representation or represented by any Council adopted formal collective bargaining agreement. (Ord. 47-99).

2.28.070 Unclassified Service

"Unclassified service" means all positions listed as follows:

- A. Officers elected by the people and persons appointed to fill vacancies in elective offices;
- B. Officers appointed by the mayor or council as approved by the law or by the Charter;
- C. The City Manager, deputy City Managers, all department directors, all division managers, and such other principal officers and assistants as the council may prescribe.
- D. All unclassified employees hired after the effective date of this ordinance shall be considered "at will". (Ord. 50-77 1.02: Ord. 54-92: Ord. 3-97: Ord. 30-99).

2.28.072 Vacancy

"Vacancy" means a position existing or newly created, budgeted, which is not occupied, and for which a valid requisition has been received by the Human Resources division. (Ord. 50-77 1.02: Ord. 3-97).

2.28.074 Reclassification

"Reclassification" means the action of repositioning (upwards or downwards) of a job classification currently listed as a job classification in the city's salary plan structure. The action may effect the incumbent employee. (Ord. 3-97).

2.28.075 Contract Employee

"Contract employee" means an employee contracted through an employment agency for a period of eight (8) months or less. Contract employees are not City employees and are not covered by the provisions of this chapter; however, the City may apply contract employee tenure to the tenure requirements of the temporary employee or limited term employee if there has been no break in contract employment. Contract employees have no right to steady employment, prior notice of termination or preference for regular full-time or part-time job openings. (Ord. 25-07)

General Provisions and Organization**2.28.105 Equal Employment Opportunity Policy**

It is declared the personnel policy of the City that employment in the City government shall be based on an applicant's qualifications as they pertain to the essential functions of the job applied for. This commitment shall be supported by positive practical efforts to insure equal employment opportunities for minorities, women, disabled, and those employment-disadvantaged, both in securing City employment and promotional opportunities at all job levels. The City shall not discriminate in its personnel practices on the basis of race, religion, sex, political views, national origin, age, marital status or disability unless based on bona fide occupational qualifications or state or federal regulations. (Ord. 50-77 1.02: Ord. 3-97).

2.28.110 Scope

- A. This chapter shall not apply to situations involving the following offices: Members of council, members of commissions, committees and boards, the City Manager, employees represented by a bargaining unit, except that those employees engaged in public safety or specified in RCW 41.08 and 41.12 shall be entitled to coverage of provisions of this ordinance as specified by RCW 41.08 and 41.12, and persons providing services that are outside the classified or unclassified plan of the city.
- B. In determining salaries, hours and working conditions for employment in the City service, the City Council, through the City Manager, may bargain collectively with any employee group or representative and enter into such agreements as permitted by the Charter and general law. For unaffiliated staff not represented by any bargaining unit, the City Manager shall be responsible for establishing and maintaining a compensation plan for council approval.
- C. It is further provided that the invalidity of any section or part of a section of this chapter shall not affect the validity of the remainder of this chapter. (Ord. 50-77 1.02: Ord. 3-97: Ord. 47-99).

2.28.115 Human Resources Manager

The City Manager shall serve as Human Resources Manager of the City unless, pursuant to the Charter, the City Manager shall appoint another person to this office. The Human Resources Manager shall administer the personnel system of the City in accordance with the personnel ordinance adopted, and recommend rules governing personnel to the council. (Ord. 50-77 1.02: Ord. 3-97).

2.28.120 Council

The City Council shall adopt rules governing City employment after a public hearing on such rules, as provided in the Charter. Thereafter, the council shall have the power to amend, repeal or add to the rules on the recommendation of the Human Resources Manager or on its own initiative, subject to the requirement of a public hearing. These rules shall provide for:

- A. The classification of all City positions in the classified service;
- B. Salary and wage plans for all City positions;
- C. Methods for determining the qualifications and merit of candidates for appointment, retention and promotion in the classified service;
- D. Procedures for removal and suspension of, and disciplinary action against, officers and employees;
- E. The order and manner in which layoffs may be effected;
- F. Procedures for review of action taken under (3), (4) and (5);
- G. Hours of work, attendance regulations, and provisions for sick and vacation leave;
- H. Other practices and procedures necessary to the administration of the City personnel system. (Ord. 50-77 1.02: Ord. 3-97).

2.28.125 Personnel Committee - Composition and Organization

- A. The City Council shall appoint a personnel committee consisting of three (3) members who shall serve without compensation. All members shall be citizens of the United States, residents of the City for at least three (3) years immediately preceding such appointment, and registered voters. During the term of office, a member of the personnel committee shall not serve on any other Richland municipal board, commission or committee. Selection of members shall follow established procedures as set forth in Richland Municipal Code, Section 2.04.120.
- B. The term of office for personnel committee members shall be for three (3) years. Members shall serve for their designated terms and until their successors are appointed. Appointment to the committee is limited to two (2) consecutive terms. In the instance of an appointment to fill a vacancy for an unexpired term, a full term shall be considered a period greater than one (1) year. A period of one (1) year must lapse before an individual may again be considered for appointment.
- C. Upon appointment of a new member, the committee shall organize by electing one (1) of its members as chairperson. Two (2) members shall constitute a quorum and the votes of any two (2) members of such committee concurring shall be sufficient for the decision of all matters to be decided by the committee. The committee shall hold at least six (6) regular meetings each year and such other additional meetings as may be required for the proper discharge of its duties.
- D. Any member of the personnel committee may be removed from office by the City Council for incompetency, dereliction of duty, malfeasance in office or other good cause. Unexcused absences for three (3) consecutive regular meetings or any absence, excused or unexcused, from at least one-half (1/2) of the meetings in a twelve-month (12) period are grounds for removal. Workshops shall be excluded from the definition of meetings for purposes of this section. (Ord. 50-77 1.02: Ord. 39-90: Ord. 40-91: Ord. 3-97: Ord. 40-98).

2.28.130 Personnel Committee - Powers and Duties

Powers and duties of the personnel committee are as follows:

- A. Shall review any existing or proposed rules governing personnel and make recommendations thereon to the Human Resources Manager;
- B. Monitor the administration and grading of examinations;
- C. Make investigations concerning and report to the City Manager on all matters touching the enforcement and effect of the provisions of this chapter; inspect all departments, offices, places, positions and employments affected by this chapter and ascertain whether this chapter and all other rules and regulations are being obeyed;
- D. Shall hear appeals from any action suspending for more than thirty (30) days, reducing in rank or pay, or discharging any employee in the classified service and report its findings and recommendations in writing to the appointing authority. The findings and decisions shall be advisory only, except where general law requires that they be final and binding upon the appointing authority with respect to fire fighters and police officers;
- E. Hear grievances regarding the application of the provisions of this chapter and other matters relating to employment conditions, practices and policies, and prepare findings of fact and conclusions of law which shall be forwarded to the City Manager;
- F. May advise the Human Resources Manager on matters of personnel policy;
- G. Shall keep and preserve records of all committee proceedings including reports made to the committee;
- H. Hearings and investigations before the committee shall be governed by rules of procedures and practice to be adopted by the committee, but informality of proceedings or in the manner of taking testimony shall not affect any action of the committee;
- I. The committee shall have the power to administer oaths and to request through an appropriate court, a subpoena to require the attendance of witnesses and the production by them of books, papers, documents and accounts pertaining to the investigation. (Ord. 50-77 1.02; Ord. 3-97: Ord. 40-98).

2.28.140 Compensation Plan for Unaffiliated Staff

From time to time, typically when collective bargaining agreements are reviewed, the City Manager or his or her designee shall forward to council for approval via resolution, a compensation plan for all unaffiliated staff. Said rules are subordinate to this ordinance and shall serve to document and govern the wages, hours and conditions of employment for all unaffiliated staff. Notification shall be given to unaffiliated staff to allow for a comment period of up to three weeks prior to presentation to council to provide opportunity for employee input, discussion and questions. (Ord. 47-99).

Classification Plan

2.28.205 Classification Plan - Objective

The Human Resources Manager shall recommend to council, and council shall adopt by resolution after public hearing, a classification plan which shall provide for a complete inventory of all positions in the classified service and accurate descriptions and specifications for each position and class of employment. In the plan, class titles shall be standardized and each of them shall be indicative of a definite range of duties and responsibilities and shall have the same meaning throughout the City service. The Human Resources Manager shall recommend necessary amendments to the plan in order to conform to the current needs of the City service. (Ord. 50-77 1.02: Ord. 3-97).

2.28.210 Classification Plan - Structure

The classification plan shall consist of the following elements:

- A. An assembly into classes of positions which are approximately of equal difficulty and responsibility, which require the same general qualifications and which can be compensated within the same grade of pay under similar working conditions;
- B. A class title descriptive of the work of each class which shall identify the class for personnel control and payroll accounting purposes;
- C. A written description for each position containing: a description of the nature of the work and of the relative responsibility of the position and which includes examples of work which are illustrative of the essential functions of the job; requirements of work in terms of knowledge, abilities and skills necessary for the performance of work, and a statement of experience and training desirable for recruitment into the position which constitutes the job specifications. (Ord. 50-77 1.02: Ord. 3-97: Ord. 30-99).

2.28.215 Classification Plan - Class Specifications

The specifications of the classes of positions in the classification plan and their various parts shall be used as a guide in the classification of positions and have the following force and effect:

- A. The specifications are descriptive and not restrictive; they are intended to indicate the kinds of positions that are allocated to the several classes as determined by their duties and responsibilities. Specifications are to be interpreted in their entirety in relation to the others in the classification plan. Particular phrases or examples are not to be isolated and treated as a full definition of the class.
- B. In determining the class to which any position should be allocated, the specifications of each class shall be considered as a whole. Consideration shall be given to the duties, specific tasks, responsibilities, qualifications, requirements and relationships with other classes, as together affording a statement of the employments that the classes intend to embrace. (Ord. 50-77 1.02: Ord. 3-97).

2.28.220 Classification Plan - Class Title Use Required

Class titles or designated code symbols shall be used in all personnel accounting, budgeting, appropriation and financial records. No person shall be appointed to or employed in a position in the classified service under a title not included in the classification plan. (Ord. 50-77 1.02: Ord. 3-97).

2.28.225 Classification Plan - Maintenance

The Human Resources Manager shall be responsible for the proper maintenance of the classification plan, so that it will reflect continuously on a current basis the duties being performed by each employee in the City service and the class to which each position is allocated. The Human Resources Manager or designee shall make necessary amendments to the classification plan, including the addition of required new classes, revision of existing classes, and deletion of obsolete classes. Changes and re-allocations within the classification plan shall be made as follows:

- A. The Human Resources Manager shall analyze the duties and responsibilities to be assumed by incumbents of proposed new positions, and using such appraisal as a basis, assign the position to the appropriate class within the classification plan. A new class specification shall be prepared to cover each additional position which is created and for which the classification plan does not provide a satisfactory job description.

- B. Changes in the duties and responsibilities of a position involving either the addition, reduction, or modification of assignments, shall be reported to the Human Resources Manager by the deputy City Manager and/or department head concerned. If the changes are determined to be permanent, and are sufficiently significant to justify reallocation to a different classification, the Human Resources Manager shall assign the position to the class which is appropriate under the modified circumstances.
- C. The Human Resources Manager shall periodically review the classification of positions and audit duties and responsibilities, and on the basis of his reappraisal, make such changes as are necessary to keep the classification plan current. Reallocation of positions under the provisions of this section shall be the responsibility of the Human Resources Manager, but shall give due consideration to the recommendations of the administrative officials concerned, and the personnel committee. (Ord. 50-77 1.02: Ord. 3-97: Ord. 40-98).

Selection and Appointment

2.28.405 Recruitment

The appointing authority shall determine whether open positions shall be advertised internally and/or to the general public. Notice of such open positions shall be posted on City bulletin boards at least five (5) days prior to the promotional closing.

- A. Open positions may be published in a City newspaper and circulated by such other means as the Human Resources Manager shall deem necessary at least ten (10) days prior to the closing date for such employment opportunity.
- B. A notice of open positions shall contain the position title and a brief description of the job duties and requirements. Applicants selected for examination shall be advised of the examination date and place, type(s) of examinations to be employed and any special examination requirements. (Ord. 50-77 1.02: Ord. 34-86: Ord. 3-97).

2.28.410 Application

Application for open positions in City employment shall be made in writing, in a manner prescribed by the Human Resources division, and submitted to the Human Resources division at such time as a vacancy is advertised. (Ord. 50-77 1.02: Ord. 3-97).

2.28.415 Rejection of Applications

The Human Resources division may reject any application for one (1) or more of the following reasons:

- A. If the applicant lacks any of the minimum qualifications set forth in the position classification or examination announcement;
- B. If the applicant cannot perform the essential functions of the position with or without reasonable accommodation to which the applicant seeks appointment, or has previously been terminated from the City service for misconduct or unsatisfactory job performance;
- C. If the applicant has falsified the application;
- D. If, after notification, the applicant is not present at the time and place designated for the examination. (Ord. 50-77 1.02: Ord. 3-97).

2.28.420 Examinations

Oral, written, physical performance or skill proficiency examinations, or any combination of these, may be employed as it is deemed appropriate as long as they are job related and serve to provide a satisfactory measure of the applicant's qualifications and capability to perform the essential functions of the position. Examinations shall be developed and administered by the Human Resources division or purchased from vendors where such tests are verified to be valid and reliable. (Ord. 50-77 1.02: Ord. 3-97).

2.28.425 Examination Results and Scores

The Human Resources staff shall document examination results and scores using appropriate statistical and testing techniques and shall determine the relative rating of the competitors. (Ord. 50-77 1.02: Ord. 3-97).

2.28.430 Veteran's Preference

A "veteran" shall be defined as any person who has served in any branch of the U.S. Armed Forces during any period of war, including World Wars I and II, the Korean conflict, the Vietnam era, and the period of any future war declared by Congress. (RCW 41.04.005). In all competitive examinations, all such veterans shall be given a preference by adding to a passing grade only, based upon a rating of one hundred (100) points, a percentage in accordance with the following as specified in RCW 41.04.010:

- A. Ten percent (10%) to a veteran who is not receiving any veteran retirement benefits;
- B. Five percent (5%) to a veteran who is receiving veterans retirement payments;
- C. Preferences specified in (1) and (2) shall not be used in any promotional examination. No preference shall be given to a veteran who has claimed a similar preference and has thereby been previously appointed to a position though employment thus obtained was with a different state agency, municipal corporation, or political subdivision; (Attorney General's Opinion 1975, No. 220);
- D. Five percent (5%) to a veteran who, after having previously served employment with the city, shall be called to active military service for a period of one (1) year, or more, during any period of war, for promotional examination;
- E. Preferences specified in (1), (2) and (4) above must be claimed by a veteran within eight (8) years of the date of release from active service, providing such release is for reasons other than dishonorable discharge. (Ord. 50-77 1.02: Ord. 3-97).

2.28.435 Appointing Authority

The City Manager is authorized to make all appointments in the City administration, and when the City Manager deems the best interest of the City requires, remove officers and employees of the city, unless otherwise provided by the Charter or by the general laws. The manager may authorize the deputy City Manager and/or director of a department to appoint and remove subordinates in such department. (Ord. 50-77 1.02: Ord. 3-97).

2.28.440 Certification List

- A. The Human Resources division shall maintain a certification list for each position class, bearing the names of all persons completing the examination with scores of not less than seventy percent (70%) within classified service. These names shall be carried on the certification list for a period of one (1) year.
- B. Names may be removed from the certification list for the following reasons:
 - 1. Request of the applicant;
 - 2. In the case of police officer applicants, a prior conviction of a felony or misdemeanor involving moral turpitude;
 - 3. An applicant's prior conviction of a crime which relates reasonably to the position applied for, provided the date of such conviction or prison release, whichever is more recent, is less than seven (7) years old;
 - 4. Applicant's death;
 - 5. Applicant's refusal to accept employment in a position class for which the applicant was examined;
 - 6. Applicant's failure to keep the personnel office informed of applicant's correct address;
 - 7. Applicant's failure to appear for employment interview;
 - 8. Applicant's attempted deception or fraud in connection with the application or examination;
 - 9. Applicant's dismissal from any other classified position for reasons of misconduct and/or unsatisfactory performance;
 - 10. Expiration of one (1) full year after entry on the list. (Ord. 50-77 1.02: Ord. 3-97: Ord. 30-99).

2.28.445 Appointments

- A. Appointments for all classified service, both entry and promotional, in the City service shall be made from the appropriate certification list providing that where diligent efforts to establish such lists have been unsuccessful, a provisional appointment may be made.
- B. Upon receipt of an appropriate certification list from the Human Resources Manager, an appointing authority shall make an appointment to a position from the top three (3) names on that list, provided, however, that the appointing authority may refuse to appoint from a certification list containing fewer than three (3) names and request a new certification list be made.

- C. Should a candidate demonstrate exceptional qualifications by virtue of knowledge, skills and prior experience, the appointing authority may request a direct appointment to City service with the approval of Human Resources and the appropriate department head. (Ord. 50-77 1.02: Ord. 2-86: Ord. 3-97: Ord. 30-99).

2.28.450 Expenditures Allowed - Exempt Personnel

- A. Whenever the City Manager may determine that in order to secure the services of any person not residing within the Richland area as an employee of the City it is necessary to pay the cost of moving the household goods and personal effects of such person from place of residence to the City upon appointment to City service, then payment of reasonable and necessary moving costs may be made from appropriate available maintenance and operation funds in the city's annual budget, upon the recommendation of the City Manager and the approval of such an expenditure by the City Council.
- B. When the appointing authority deems it necessary to interview personnel to fill positions requiring special experience and training, and such personnel reside outside the City limits, the appointing authority is authorized to pay necessary travel and subsistence expenses to bring a limited number of applicants to the City for such personal interviews; providing funds for the payment of such expenses are available.
- C. In cases of certain examinations which may require the professional expertise of a person outside the City service, the appointing authority is authorized to pay necessary travel and subsistence expenses to bring a limited number of such persons to the City for participation in such examinations; providing funds for payment of such expenses are available. (Ord. 50-77 1.02: Ord. 3-97).

2.28.455 Promotional Appointments

In order to best use knowledge, skills, abilities and performance of City employees, the appointing authority shall fill vacancies by promotion whenever practicable. Such promotions shall be based on competitive selection processes, except in those cases where the appointing authority determines that a particular employee, who by virtue of length and quality of work experience for the city, is exceptionally qualified for the promotion. Provided, however, that nothing in this section shall apply to promotional appointments in the Police Services Department and Fire and Emergency Services Department covered by a collective bargaining agreement. Promotional appointments in those departments shall be based upon the process set forth in Sections 2.28.410 through 2.28.450. (Ord. 50-77 1.02: Ord. 2-86: Ord. 3-97: Ord. 30-99).

2.28.460 Provisional Appointments

Provisional appointments may be made in the classified service when no appropriate certification list exists. Such appointments shall have a maximum duration of four (4) months and may not continue beyond a ten (10)-day period after the establishment of an appropriate certification list. (Ord. 50-77 1.02: Ord. 3-97).

2.28.465 Special Appointments

In recognition of the special needs of the City from time to time to employ student trainees, interns, and recreation instructors and aides in diverse programmatic areas designed to meet the desires and needs of the citizens of Richland, authority is granted to the Human Resources Manager to make occasional special appointments of qualified persons to meet these special needs, budget permitting.

- A. The procedure and requirements for appointments to City service provided in Chapter 2.28 are waived for special appointments made pursuant to this section or the compensation plan.
- B. Persons appointed pursuant to this section shall be deemed employees only insofar as wages, and state or federal mandated benefits such as social security, industrial insurance, and unemployment compensation are concerned. Other benefits, privileges, protections or rights, including tenure, provided by Chapter 2.28, or the compensation plan shall not apply nor shall persons appointed pursuant to this section become eligible for them. Persons so appointed serve solely at the pleasure of the City. Persons so appointed shall be advised in writing of their specific employment status as set forth in this section.
- C. Special appointment of individual persons may be recurring, but any single appointment shall not extend beyond eight (8) continuous months.

- D. Salary for services rendered by persons appointed pursuant to this section shall be an hourly rate and shall be set by the Human Resources Manager to be commensurate with the skills needed to meet the special need for which the special appointment is being made. For special appointments to meet recreation program needs, the hourly rate shall in addition reflect the number of expected program participants, the ability to recruit desired program instructors and aides, and such other factors as may impact a particular recreation program offering. In no event shall the hourly rate be less than the federal minimum wage. Provisions of Chapter 2.28 regarding salary and benefits other than those set forth in this section shall not apply to persons under special appointment. (Ord. 34-86: Ord. 6-87: Ord. 3-97: Ord. 47-99: Ord. 25-07).

Conditions of Employment

2.28.515 Outside Employment

- A. An employee seeking to engage in employment other than the employee's job with the City must notify the employee's immediate supervisor.
- B. An employee shall not engage in employment other than the employee's City job if such employment constitutes a conflict of interest, is incompatible with the proper discharge of the employee's official duties, or interferes with the efficient performance of the City job. (Ord. 50-77 1.02: Ord. 3-97).

2.28.520 Service on City Advisory Boards, Committees, and Commissions

Except for membership on the police pension board, in accordance with RCW 41.20.010, and the firemen's pension board, in accordance with RCW 41.14.020, and except for employees serving ex officio, no employee, during his or her term of service in City employment, shall be eligible, or be appointed, to serve on any City board, committee or commission performing an advisory function to the City Council. (Ord. 4-80 1.01: Ord. 3-97).

2.28.525 Political Activities

The following rules shall govern the political activities of City employees:

- A. Solicitation for or payment to any partisan, political organization or for any partisan political purpose of any compulsory assessment or involuntary contribution is prohibited; provided, that officers of employee associations shall not be prohibited from soliciting dues or contributions from members of their associations. No person, elected official, or employee shall solicit on City property any contribution to be used for partisan political purposes. (RCW 41.06.250).
- B. Employees shall have the right to vote and to express their opinions on all political subjects and candidates and to hold any political party office or participate in the management of a partisan political campaign. Nothing in this section shall prohibit an employee from participating fully in campaigns relating to constitutional amendments, referendums, initiatives, and issues of a similar character. (RCW 41.06.250).
- C. A City employee shall not hold a part-time public office in a political subdivision of the state when the holding of such office, as determined by the appointing authority, is incompatible with or substantially interferes with the official duties of the employee's job. (RCW 41.06.250).
- D. For persons employed by the City in positions which are financed primarily by federal grant-in-aid funds, political activity shall be regulated by the rules of the U.S. Civil Service Commission. (RCW 41.06.250).
- E. No member of the City Council nor any candidate for election to City Council shall directly or indirectly solicit any contribution or campaign assistance of any nature from any employee of the city. (Ord. 50-77 1.02).

2.28.530 Tenure of Employment-Classified Service

The tenure of any person covered under the provision of this chapter shall be subject to appropriate conduct and the satisfactory performance of the employee's job responsibilities. Any person may be discharged (when authorized by the City Manager), or disciplined (including but not limited to suspension without pay, temporary or permanent pay reductions, demotion, and reduction in rank) by the City Manager, the deputy City Manager and/or director of a department for any of the following reasons:

- A. Unsatisfactory record of attendance and/or punctuality.
- B. Absent without leave for three (3) consecutive working days.
- C. Incompetent, inefficient performance of job responsibilities.
- D. Inattention to job responsibilities or loitering.

- E. Insubordination which is the refusal to accept work, refusal to perform work in accordance with instructions of supervisor.
- F. Dishonest conduct such as theft, fraud or misrepresentation.
- G. Disorderly conduct in the course of employment including fighting, horseplay, threatening or otherwise abusing other employees or the general public.
- H.
 1. Reporting for work in an unfit condition which precludes the employee from performing the function and duties of any position in City service.
 2. Possession of alcohol or illegal controlled substance while at work.
 3. Consumption or use of alcohol or illegal controlled substance during the course of an employee's scheduled work day.
 4. It is not a violation of this section to use prescribed or over the counter drugs provided the employee reports such use which may effect the discharge of their job responsibilities.
- I. Conviction of a felony or misdemeanor which adversely effects the employee's ability to perform the employee's job requirements.
- J. The use of employee's City employment for personal profit, gain or advancement other than the regular and rightful compensation and benefits authorized for the position.
- K. Negligent, careless or willful acts which damage or endanger the city's property, equipment or the personal safety of employees or the general public.
- L. Improper political activity as defined in this chapter.
- M. Willfully or knowingly making a false statement, certificate, mark, rating or report in regard to any test, certificate or appointment held or made under the municipal personnel system, or in any manner commit or attempt to commit any fraud preventing the impartial execution of the personnel rules.
- N. No person seeking appointment to or promotion in the City service shall either directly or indirectly give, render or pay any money, service or other valuable thing to any person for, or on account of, or in connection with a test, appointment, proposed appointment, promotion or proposed promotion.
- O. Non-compliance of Section 2.28.515.
- P. Possession or display of a firearm, as defined in RCW 9.41.010, or explosive device in a City building or City vehicle. This subsection does not apply to commissioned police officers.
- Q. Any other act or failure to act which, in the judgement of the appointing authority, is sufficient to show the offender to be an unsuitable and unfit person to be employed in the public service.

The Human Resources Manager shall promulgate procedures for administering and imposing the discipline required under section 2.28.530. (Ord. 50-77 1.02: Ord. 3-97: Ord. 30-99: Ord. 47-99).

2.28.535 Tenure of Employment-Unclassified Service

Employees hired or promoted into unclassified service after the effective date of this ordinance are employed at the pleasure of the City and continued employment is at the discretion of the appropriate authority or City Manager. These employees are considered "at will". (Ord. 30-99).

2.28.550 Employment and Reemployment Rights of Members of the Uniformed Services

A person who is a member of, applies to be a member of, performs, has performed, applies to perform or has an obligation to perform service in a uniformed service shall not be denied initial employment, reemployment, retention in employment, promotion or any benefit of employment by the City on the basis of that membership, application for membership, performance of service, application for service or obligation.

The city, in defining the limitations and interpretation of the Federal Act, will utilize the document H. R. 995 Publication, Public Law 103-353, Title 38, Chapter 43 USC. (Ord. 3-97).

2.28.555 Employment Conflicting with City Interests: Non- Competition Clause - Former Employee

No person who has served as an employee of the City of Richland shall, for a period of two (2) years from the date of termination or completion of such employment, appear before the City Council or receive any compensation for services rendered on behalf of any person, firm, corporation or association in relation to any matter, purchase, sale, proceeding or application with respect to which the former employee was directly concerned and in which the former employee personally participated during the period of employment with the City of Richland. Should such a conflict arise, it shall form the basis for the City to terminate the relationship the City has with the business or individual involved. (Ord. 36-94: Ord. 3-97).

Insurance Benefits

2.28.605 Insurance Benefits

It shall be the policy of the city, subject to the availability of funds, to carry certain insurance policies as a part of employee benefits, where appropriate. The exact terms of coverage shall be negotiated by the City and the insurance companies, and copies of such policies shall be on file in the City Clerk's office.

As appropriate and required by law, when an employee is acting in his or her official capacity on City business, the City shall indemnify police officers against damage claims for false arrest, and all employees against claims of errors and omissions.

As appropriate and required by law, when an employee is acting in his or her official capacity on City business, the City shall indemnify all employees against claims for damages for personal injuries or property damages arising out of the operation of any City owned or operated motor vehicle. (Ord. 50-77 1.02: Ord. 3-80 1.01: Ord. 45-84: Ord. 3-97: Ord. 30-99: Ord. 47-99).

Savings Clause

2.28.845 Savings Clause

Notwithstanding the repeal of Ordinances 34, 96 and 123, any rights or benefits acquired by any employee under the provisions of said ordinances shall remain in full force. (Ord. 50-77 1.02: Ord. 3-97).

Grievance Procedure

2.28.905 Grievance and Appeal Procedure

Definition:

1. Appeals are actions filed by a classified employee concerning any adverse personnel action which results in the employee's suspension for more than thirty (30) days, reduction in pay, or discharge from City employment;
2. Grievances are actions by an employee alleging improper application of the provisions of this chapter and complaints on other matters concerning the employee's working conditions, misapplication of policies and procedures and related conditions. Excluded are matters alleging employment discrimination as defined in Section 2.28.105 and the substance of performance evaluations and oral reprimands;
3. Investigations in matters related to conditions of employment, examinations and other sundry matters which may be conducted by the personnel committee at the request of the Human Resources Manager or upon its own motion with the view of making determinations and recommendations as appropriate to the City Manager for corrective action or changes in policies and procedures.

Requirements for adverse actions. No classified employee may be suspended for more than thirty (30) days, reduced in pay or discharged from City employment except for cause. In such cases, the City shall advise the employee in writing of the charges and an explanation of the evidence upon which the proposed action is based. The employee would then have an opportunity for a pre-disciplinary and/or pre-termination hearing. The City after consideration of the facts and materials presented at the hearing shall provide the employee with a written decision of termination, suspension or demotion in pay. Within ten (10) days after receipt of the employer's decision, the employee shall have the right to appeal to the personnel committee.

Procedure for processing grievances.

1. Step 1

Grievances must be made known to the employee's supervisor in writing within ten (10) working days after the basis for the complaint is known or should have become known to the employee. All grievances must include the specific policy or provision which the employee feels is being violated, as well as the requested remedy.

The immediate supervisor shall discuss the grievance with the employee and render a written decision within ten (10) working days of receipt of the original grievance. If the employee is not satisfied with the supervisor's response, he or she may proceed to Step 2.

2. Step 2
The employee shall reduce the grievance to writing within ten (10) working days from the initial discussion and present it to his or her division manager. The division manager shall arrange to discuss the grievance within five (5) working days after so notified. Within ten (10) working days of such meeting, the division manager will respond in writing. If the matter is not resolved at step 2, the employee may proceed to step 3.
3. Step 3
Within ten (10) working days of the division manager's decision, the employee may request in writing that the grievance be reviewed by his or her department director and/or deputy City Manager. The department director and/or deputy City Manager shall arrange to discuss the grievance within five (5) working days after so notified. Within ten (10) working days of such meeting, the department director and/or deputy City Manager will respond in writing. If the matter is not resolved at step 3, the employee may proceed to step 4.
4. Step 4
If the grievance is still unresolved, the employee may appeal to the personnel committee within ten (10) working days after receipt of the department director's/deputy City Manager's response. (Ord. 3-97: Ord. 40-98: 30-99: Ord. 47-99).

2.28.906 Personnel Committee Hearings

- A. The personnel committee shall arrange a hearing within fifteen (15) working days after receipt of a timely employee request.
- B. Grievances and appeals presented to the committee shall include all pertinent documentation, correspondence and other relevant materials.
- C. Hearings shall be held at such time and such a manner as determined by the committee.
- D. All parties to the grievance or appeal shall be notified in advance of the hearing and shall have the right to be heard at the hearing, to be represented by a person of their choosing and call witnesses on their behalf.
- E. The committee may call as witnesses at the hearing any person(s) whose testimony may contribute to the committee's decision.
- F. Upon completion of the hearing the committee shall make its findings of fact and conclusions of law.
- G. If the hearing pertains to a grievance as defined in subsection 2.28.905(a)(2) the committee's findings, conclusions and recommendations shall be forwarded to the City Manager. The City Manager may accept, reject or modify the recommendations of the committee and shall within five (5) working days notify the employee of the City Manager's final decision. If the City Manager modifies the recommendations of the committee, the City Manager may fashion such a remedy as deemed appropriate.
- H. In cases involving an appeal of an adverse action, as defined in subsection 2.28.905(a)(1), the committee shall make its findings of fact and conclusions of law and shall specify what, if any, action shall be taken by the city. The City Manager may accept, reject or modify the recommendations of the committee and shall, within five (5) working days, notify the employee of such decision. Within five (5) days after receipt of the committee's decision, the employee may appeal the decision by filing an appeal with the Superior Court of Benton County. Within thirty (30) days after the expiration of that period a written notice of appeal stating the grounds thereof and demanding that a certified transcript of the record, if any, and all papers on file with the committee, the Human Resources Manager or the City Manager relating to such order shall be filed with the City Manager. The City Manager, within ten (10) days after the filing of such notice with the court, shall cause to be certified and filed such transcript and records with the court. The court shall thereupon hear and determine such appeal in a summary manner, but the hearing and determination shall be confined to whether the order of removal, discharge, demotion or suspension was or was not made in good faith for cause, and no appeal to such court shall be taken except upon such grounds. (Ord. 3-97: Ord. 20-97: Ord. 40-98).

2.28.920 Severability

If any provision of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable. (Ord. 47-99).

Chapter 2.30 - Legal Actions Brought Against City Officials and Employees**Sections:**

- 2.30.010 Definitions**
- 2.30.020 Legal Representation**
- 2.30.030 Payment of Claims or Judgments-Conditions of Representation**
- 2.30.040 Refusal to Cooperate**
- 2.30.050 Administrative and Criminal Proceedings**
- 2.30.055 Retroactive Application**
- 2.30.060 Conflict with Provisions of Insurance Policies**
- 2.30.070 Severability**

2.30.010 Definitions

As used in this chapter, the following terms shall be defined as hereinafter provided:

- A. "Employee" shall mean any person who is serving or who has served in the classified service of the City as defined in the Richland Municipal Code, Section 2.28.016.
- B. "Official" means any person who is serving or has served as an elected City official, including the mayor and members of the City Council, together with persons who are serving or have served as appointive members of City boards, commissions or committees and all other persons who are serving or who have served in the unclassified service of the City as defined in the Richland Municipal Code, Section 2.28.070. (Ord. 70-76 1.01: Ord. 80-77 1.01: Ord. 3-97: Ord. 40-98).

2.30.020 Legal Representation

As a condition of their service and employment for and on behalf of the City of Richland, the City shall provide to all officials and employees, notwithstanding the fact that such officials and employees may have concluded their service or employment with the city, such legal representation as may be reasonably necessary to defend any claims and/or litigation resulting from any conduct, acts, or omissions of such officials or employees arising from the scope of course of their service or employment with the City of Richland. (Ord. 70-76 1.01: Ord. 80-77 1.02).

2.30.030 Payment of Claims or Judgments - Conditions of Representation

Except as may be provided in any applicable municipal policy of insurance, the City Attorney, or an attorney designated by the City Attorney, shall, at the request and on behalf of any official or employee of the city, investigate and defend such claims or litigation, and, if a claim is deemed by the City Attorney to be a proper claim, or, if judgment is rendered against such an official or employee, such claim or judgment shall be paid by the city; provided, that:

- A. In the event of any incident or course of conduct giving rise to a claim for damage and/or litigation, the official or employee involved shall, as soon as practicable, give the City Attorney written notice thereof, identifying the official or employee involved, which notice shall contain all information known to the official or employee with respect to the date, time, place, and circumstances surrounding the incident or conduct, as well as the names and addresses of all persons allegedly injured or otherwise damaged thereby, and the names and addresses of all witnesses;
- B. Upon receipt thereof, the official or employee shall forthwith deliver any demand, notice, summons or other process relating to any such incident or conduct, to the City Attorney, and shall cooperate with the City Attorney or an attorney designated by the City Attorney and, upon request, assist in making settlements of any suits and in enforcing any claim for any right of subrogation against any persons or organization that may be liable to the City because of any damage or claim of loss arising from the incident or course of conduct;
- C. Such officials or employees shall attend interviews, depositions, hearings and trials, and shall assist in securing and giving evidence and obtaining the attendance of witnesses;
- D. Such officials or employees shall not accept nor voluntarily make any payment, assume any obligation, or incur any expense other than for first aid to others at the time of any incident or course of conduct giving rise to any such claim, loss, or damage; and provided further, that in the event that a civil action is brought against any official pursuant to the provisions of the Public Disclosure Laws of the state of Washington, RCW Chapter 42.17, and the official has been found to be in violation thereof and such finding is not appealed or such finding is upheld or affirmed through the appellate process, such official shall reimburse the City for any and all costs to the City which costs were

related to the furnishing of representation to such official, and the City shall have a claim against such official for any amount so expended. (Ord. 70-76 1.01).

2.30.040 Refusal to Cooperate

In the event that any such official or employee fails or refuses to cooperate as provided in Section 2.30.030, or elects to provide his own representation with respect to any such claim and/or litigation, or elects to provide his own representation with respect to any administrative or criminal proceeding, then the provisions of this chapter shall be inapplicable and of no force and effect with respect to any such claim and/or litigation. (Ord. 70-76 1.01).

2.30.050 Administrative and Criminal Proceedings

The provisions of this chapter shall apply to any administrative or criminal proceeding involving a complaint or charge brought against an official or employee, which complaint or charge results from any conduct, acts, or omissions of such officials or employees arising from the scope or course of their service or employment with the City of Richland; provided, however, legal representation shall be furnished to such official or employee by an attorney designated by the judge of the Richland municipal division of the Benton County District Court, with the approval of the official or employee, the cost of such representation to be borne by the city; provided further, that such approval of an attorney so appointed by the court shall not be unreasonably withheld, and in the event that approval is unreasonably withheld, it shall be deemed an election by the official or employee to provide his own representation thereby rendering the provisions of this chapter inapplicable and of no force and effect with respect to any such administration or criminal proceeding; provided further, that in the event an administrative body or court finds the official or employee has violated any ordinance of the City of Richland, statute or regulation of the state of Washington, or of the United States of America, which ordinance, statute, or regulation provides for a punitive or criminal sanction, and such finding is not appealed or such finding is upheld or affirmed through an appellate process, including judicial review, the official or employee shall reimburse the City for any and all costs to the City which costs were related to the furnishing of representation to such official or employee, and the City shall have a claim against such official or employee for any amount so expended. (Ord. 70-76 1.01).

2.30.055 Retroactive Application

It is the specific intent of this chapter that it have retroactive application. (Ord. 80-77 1.04).

2.30.060 Conflict with Provisions of Insurance Policies

Nothing contained herein shall be construed to modify or amend any provision of any policy of insurance wherein the City of Richland or any official or employee thereof is the named insured. In the event of any conflict between this chapter and the provisions of any such policy of insurance, the policy provisions shall be controlling; provided, however, that nothing contained herein shall be deemed to limit or restrict any employee's or official's right to full coverage pursuant to this chapter, it being the intention of this section to provide complete coverage outside and beyond insurance policies which may be in effect while not compromising the terms and conditions of such policies by any conflicting provision contained in this chapter. (Ord. 70-76 1.01: Ord. 80-77 1.03).

2.30.070 Severability

The invalidity of any section, subsection, provision, clause or portion thereof, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of this chapter or the validity of its application to other persons or circumstances. (Ord. 70-76 1.01).

Chapter 2.31 - Fingerprinting

Sections:

2.31.010 Fingerprinting of New Employees

2.31.020 Fingerprinting of Applicants for City Licenses or Permits

2.31.030 Fingerprinting for Non-Municipally Related Matters

2.31.010 Fingerprinting of New Employees

As a condition precedent to employment by the city, each prospective new employee of the police department, Southeast Communications, recreation division or senior center division shall be fingerprinted by the Richland police division. Such fingerprint impressions shall be submitted to the identification section of the Washington State Patrol for a background check to determine whether the prospective new employee has any prior felony or misdemeanor convictions. Evidence of a prior felony or misdemeanor conviction, within a period of seven (7) years immediately preceding the date of submission of fingerprint impressions, which felony or misdemeanor conviction relates to or bears upon the type of work for which the prospective employee is being considered, may constitute grounds for denial of employment; provided, however, that any prospective new employee for a position in any law and justice (police) program shall, in addition to a background check through the State Identification Section, be subject to a background check through the Federal Bureau of Investigation. (Ord. 98-76 1.01: Ord. 40-98).

2.31.020 Fingerprinting of Applicants for City Licenses or Permits

Whenever fingerprinting and background check are required by any ordinance of the City of Richland as a condition of issuance of any license or permit, such fingerprinting and background check shall be deemed a condition precedent to the issuance of such license or permit. When so required, fingerprints of the applicant for such a license or permit shall be taken by the Richland police division and submitted to the identification section of the Washington State Patrol for a background check to determine whether the applicant has any prior felony or misdemeanor convictions. Evidence of a prior felony or misdemeanor conviction, within a period of seven (7) years immediately preceding the date of submission of fingerprint impressions, which felony or misdemeanor conviction relates to or bears upon the type of license or permit for which application is made, may constitute grounds for denial of such license or permit. (Ord. 98-76 1.01: Ord. 40-98).

2.31.030 Fingerprinting for Non-municipally Related Matters

Whenever any person desires to be fingerprinted by the Richland police division for any reason other than that imposed by the City ordinance relative to employment or application for a license or permit, fingerprints may be taken by the police division upon payment by the person to be printed of a fee in the amount of ten dollars (\$10.00) for the first fingerprint card and five dollars (\$5.00) for each additional card. The fingerprint card in such cases shall be turned over to the person fingerprinted, shall not be maintained in the files of the Richland police division, and shall not be forwarded by the police division to the Identification Section of the Washington State Patrol; provided, however, that any resident of the state of Washington who requests fingerprinting for personal identification only may, upon payment of the required fee, have copies of the fingerprint impressions forwarded to the Identification Section of the Washington State Patrol on forms appropriately marked "Personal Identification." (Ord. 98-76 1.01: Ord. 13-97).

Chapter 2.32 - Salaries**Sections:**

- 2.32.020 City Manager - Salary Policy**
- 2.32.040 Council Members**
- 2.32.045 Vehicle Expense - Council Members**
- 2.32.050 Mayor**
- 2.32.055 Vehicle Expense - Mayor**
- 2.32.058 Council Member Health Benefits**
- 2.32.090 Official Expenditures**
- 2.32.100 City Attorney, City Prosecutor**

2.32.020 City Manager - Salary Policy

In determining the starting salary of the City Manager, the council shall consider his training, experience, performance in the position and other qualifications. (Ord. 130 1.02: Ord. 29-93).

2.32.040 Council Members

The compensation of each member of the council for the years 2002 and 2003 shall be established at \$825.00 for current and newly elected council, whether a new or incumbent member. For subsequent years 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, and 2013 the following salary is established: 2004, \$875.00; 2005, \$900.00; 2006, \$927.00; 2007, \$964.00; 2008, \$1,003; 2009, \$1,013; 2010, \$1,028; 2011, \$1,038; 2012, \$1,069; and 2013, \$1,090 provided, however, that nothing herein shall cause an increase or decrease to the compensation of any member of the council after his or her election or during the term of office or any unexpired term of office, to which such member of the council is appointed or elected. Beginning in 2002, City Council shall establish Council salary for 2006 and subsequent years as part of the annual approved Compensation Plan adjustment for unaffiliated staff, maintaining a four-year schedule.

All members of the council shall provide a written certification to Human Resources, based on a monthly calculation of the number of hours of service they provide to the City of Richland each year. This record shall be maintained in the Human Resources Division for auditing purposes as generally required in the Revised Code of Washington (RCW) 41.40. (Ord. 8: Ord. 68-74: Ord. 106-79: Ord. 70-81: Ord. 40-98: Ord. 09-01: Ord. 41-02: Ord. 40-03: Ord. 36-04: Ord. 37-05: Ord. 31-06: Ord. 29-07: Ord. 09-08: Ord. 21-08: Ord. 32-09).

2.32.045 Vehicle Expense - Council Members

In recognition of the expenses incurred by council members by use of their private vehicles for official City business within the Tri-City areas of Richland, Kennewick and Pasco, council members shall receive an allowance to reimburse such council members for these vehicle expenses.

The City specifically finds that this allowance is more cost effective than providing official vehicles for council members or requiring expense vouchers. The amount of said vehicle expense allowance shall be based upon the assumption that each council member uses a private vehicle for travel in the amount of 150 miles in each month for council members and 300 miles in each month for the mayor multiplied times the per mile rate as established for the state of Washington by the state director of financial management. Official business trips by council members, by personally owned vehicle or otherwise, outside the Tri-City area, shall be reimbursed by the City on a per trip basis according to the prevailing policies and standards for reimbursement to City employees. (Ord. 68-74 1.02: Ord. 66-83: Ord. 21-92).

2.32.050 Mayor

In addition to compensation received as a member of the council, the mayor shall receive additional compensation in the sum of two hundred fifty dollars (\$250.00) per month during each and every month of his or her term as mayor, provided, however, that nothing herein shall cause an increase or decrease to the compensation of the mayor after his or her election or during his or her term of office as mayor, or any unexpired term of office as mayor, to which any member of the council is appointed, elected or succeeds pursuant to Section 2.06 of the City Charter. (Ord. 8 1.02: Ord. 68-74 1.03: Ord. 106-79 1.02: Ord. 40-98: Ord. 09-01):

2.32.055 Vehicle Expense - Mayor

In recognition of the expenses incurred by the Mayor by use of a private vehicle for official duties representing the City within the Tri-City area of Richland, Kennewick and Pasco, and in addition to the reimbursement received as a council member, the Mayor shall receive an allowance to reimburse the Mayor for use of a private vehicle on official business. The City specifically finds this allowance is more cost effective than providing an official vehicle or requiring expense vouchers. The amount of said vehicle expense allowance shall be fifty dollars (\$50.00) per month in addition to the vehicle expense allowance received as a council member. Official business trips by the mayor in his personally owned vehicle or otherwise, outside the Tri-City area, shall be reimbursed by the City on a per trip basis according to the prevailing policies and standards for reimbursement to City employees. (Ord. 68-74 1.04: Ord. 66-83).

2.32.058 Council Member Health Benefits

On or after January 1, 2002, for those Council Members eligible to receive said benefits, council members will be provided access to medical, dental and vision health benefits which are available to unaffiliated City employees. Council Members shall pay the cost of such health benefit insurance premium(s). The total council remuneration shall not change as a result of access to health benefits. (Ord. 37-01)

2.32.090 Official Expenditures

Officers and employees of the City shall be entitled to reimbursement for the following classes of official expenditures:

- A. Necessary out-of-pocket expenditures, within or without the city, made, with the specific written approval of the City Manager, for purposes which principally promote, develop or publicize the city's best interests, including the sales promotional and institutional activities of its municipal utilities;
- B. Expenditures made, with like approval, for transportation, meals, lodging and other related items associated with attendance at sessions of the Washington State Legislature, or in connection with appearing before or conferring with any individual, group or committee of state legislators or other persons at Olympia or elsewhere for the purpose of presenting data, exchanging information and otherwise consulting on matters of mutual concern in the development of intergovernmental understanding and cooperation, for the proper evaluation of legislative programs affecting the municipality, and for such other purposes as may promote or tend to promote the best interests and general welfare of the city;
- C. The cost of meals incurred, with like approval, within the city, by officers and employees of the City while they are conferring, consulting or meeting with non-City specialists, technicians or executives, or others, for purposes generally associated with the routine official duties of such City personnel, where not covered by other provisions of this code. (Ord. 234 1.01: Ord. 811 1.01).

2.32.100 City Attorney, City Prosecutor

The City Attorney and the City prosecutor shall be paid salaries provided in the annual budget of the city. (Ord. 275 1.01: Ord. 37-1).

Chapter 2.44 - Firemen's Pension Board**Sections:****2.44.010 Firemen's Pension Board Created-Membership****2.44.010 Firemen's Pension Board Created-Membership**

There is hereby created and established the Firemen's Pension Board which shall have and exercise the powers, duties and responsibilities prescribed in Chapter 91 of the Laws of 1947 of the state of Washington, as amended, being Chapter 41.16 RCW; Chapter 382 of the Laws of 1955, as amended, being Chapter 41.18 RCW, and Chapter 255 of the Laws of 1961. The members of the board shall be, ex officio, the mayor or the mayor's designated representative who shall be an elected official, who shall chair the board, the City comptroller or clerk, the support services director, and in addition two (2) regularly employed firemen elected as provided in RCW 41.16.020 and their alternate, selected as provided in this section, who shall serve in the absence of either of the regularly elected firemen members. (Ord. 30 1.01: Ord. 179: Ord. 38-83).

Chapter 2.48 - Police Relief and Pension Board**Sections:****2.48.010 Board of Trustees Created****2.48.010 Board of Trustees Created**

There is created and established the board of trustees of the police relief and pension fund, which shall have the membership and exercise the powers, duties and responsibilities prescribed in RCW 41.20. For the purposes of membership prescribed in RCW 41.20.010 (1), the support services director shall be deemed to be the treasurer. (Ord. 31 1.10: Ord. 38-83).

Chapter 2.49 - Travel Expense**Sections:****2.49.010 Allowance of Expenses Incurred by Officers and Employees****2.49.010 Allowance of Expenses Incurred by Officers and Employees**

The following rules shall govern the allowance of expenses incurred by officers and employees of the City in travel on the city's business:

A. Travel Outside the Tri-Cities Area.

1. Any officer or employee of the City who, with the approval of the City Manager, uses a private car in travel outside the City on the city's business, and any council member who uses a private car in such travel, shall be reimbursed for the cost of using such car at the same per mile rate as established by the Internal Revenue Service. The rate will be applied to the actual mileage traveled between the points of origin and destination and for actual mileage traveled on City business in the City or place of destination, except that no reimbursement shall be made for any distance traveled between the points of origin and destination which exceed one hundred ten percent (110%) of the distance between said points as determined according to the then current Rand-McNally Standard Distance Chart.
2. The mileage allowance will be paid only to the owner or operator of the private car and to only one (1) person per vehicle.
3. In addition to the mileage allowance, the City will reimburse out-of-pocket costs of overnight and daytime parking and the costs of any ferry, tunnel, toll road and toll bridge charges.
4. A private car or other mode of transportation may be used if a City vehicle is not available or if such use of a private car or other mode of transportation is authorized by the City Manager.
5. Where more than one (1) officer or employee of the City travel to the same point at the same time, they shall, if at all possible, go in the same vehicle.
6. When an officer or employee uses a private automobile so that his family can accompany him or for other personal reasons, reimbursement for automobile travel expense shall be limited to the cost of coach rail or coach air transportation between the points of origin and destination, whichever is less.
7. Rail and air transportation shall be reimbursed at actual cost.
8. Out-of-pocket costs for normal living expenses and necessary taxi service, regardless of the form of transportation used, shall be reimbursed by the city.
9. Reimbursement for meal expenses shall be limited to the Internal Revenue Service maximum federal per diem rates as listed in Table 2 of Internal Revenue Service Publication 1542.

B. Reimbursement for Use of Private Vehicles in the Tri-Cities Area.

1. The City Council may authorize payment to an employee utilizing privately owned vehicle on a regular basis, a flat monthly sum in an amount to be determined by the council, as and for reimbursement for privately owned automobile expenses incurred by the employee for and on behalf of the city.
2. Reimbursement of expenses for use of a private vehicle on City business for employees duly authorized by the City Manager shall be at the same per mile rate as established by the Internal Revenue Service.
3. The mayor and members of the council may be reimbursed for travel expenses incurred within the Tri-Cities area while on official City business at the rate provided in subdivision (B) of subsection (2) of this section or as provided in Section 2.32.045 or 2.32.055 of this code if such official is eligible therefore.

(Ord. 797 1.01: Ord. 69-74 1.01: Ord. 15-79 1.01: Ord. 17-80 1.01: Ord. 19-89: Ord. 21-92: Ord. 10-00).

Chapter 2.50 - Advance Travel Expense Revolving Fund**Sections:**

- 2.50.010 Establishment of Travel Fund**
- 2.50.020 Amount of Travel Fund**
- 2.50.030 Designation of Custodian**
- 2.50.040 Deposits, Disbursements and Administration of Travel Fund**
- 2.50.050 Travel Advance Approval**
- 2.50.060 Reimbursement**

2.50.010 Establishment of Travel Fund

There is established in the City of Richland a revolving fund to be known as the "advance travel expense revolving fund," which fund is to be used solely for the purpose of making advance payments of out-of-town travel expenses for authorized City officers or employees traveling as agents of the City of Richland for the city's purposes, and specifically to defray necessary costs while performing such official duties. (Ord. 625 1.01).

2.50.020 Amount of Travel Fund

The fund shall be established in the City of Richland by transfer of treasurer's funds, by check or warrant in the sum of twenty thousand dollars (\$20,000.00) to the custodian designated in this chapter. The total amount of such fund so established shall be shown separately in the city's statement of current assets. (Ord. 625: Ord. 35-76: Ord. 12-85: Ord. 14-93: Ord. 40-98: Ord. 11-00).

2.50.030 Designation of Custodian

The finance manager of the City of Richland is designated and appointed as the custodian of the fund, and upon receipt of the moneys transferred to him as such custodian, he shall immediately open a checking account in a local bank in the name of the City of Richland and entitle it "Advance Travel Expense Account - Richland Finance Manager, Custodian." (Ord. 625 1.01: Ord. 11-00).

2.50.040 Deposits, Disbursements and Administration of Travel Fund

Deposits to, disbursements from and administration of the fund shall be subject to and in accordance with all of the restrictions, limitations, requirements and other provisions of RCW 42.24.120 through 42.24.160 and Rules and Regulations Bulletin No. 94 of the Division of Municipal Corporations of the office of the Washington State Auditor, dated July 15, 1969, which laws, rules and regulations are adopted by reference as a part of this chapter. (Ord. 625 1.01).

2.50.050 Travel Advance Approval

Hereafter, all travel on City business by City employees, except the manager, mayor and members of the City Council, shall be performed only with and after securing approval of the City Manager or any other person authorized to act in his behalf. All travel advances for the City Manager, mayor and members of the City Council on City business shall be allowable only with and after securing approval of the City Council. (Ord. 625 1.01).

2.50.060 Reimbursement

Reimbursement shall be made only for actual expenses incurred by officers or employees for authorized travel, as submitted upon the required fully itemized travel expense vouchers, and all expenses, except meals, shall be substantiated by appropriate receipts to be submitted with such travel expense vouchers. Travel mileage by private automobile shall be reimbursed at the rate of and in the manner as may be approved, from time to time, in Chapter 2.49. (Ord. 625 1.01: Ord. 35-76 1.02).

Chapter 2.51 - Gun Permit Change Fund**Sections:****2.51.010 Establishment of Gun Permit Change Fund****2.51.020 Amount of Gun Permit Change Fund****2.51.010 Establishment of Gun Permit Change Fund**

There is established in the City of Richland a revolving fund to be known as the "gun permit change fund," which fund is to be used by the safety services department solely for the purpose of making necessary change for a gun permit applicant paying cash in an amount required by law for the issuance of a gun permit. (Ord. 771 1.01).

2.51.020 Amount of Gun Permit Change Fund

The fund shall be established in the City of Richland in an amount not to exceed fifty dollars. The finance office is authorized to advance funds, in an amount not to exceed fifty dollars (\$50.00), to the safety division for the purpose of effectuating the intent and purpose of this chapter. (Ord. 771 1.01: Ord. 40-98).

Chapter 2.54 - Environmental Review Committee**Sections:**

- 2.54.010 Purpose**
- 2.54.020 Membership**
- 2.54.030 Removal-Vacancies**
- 2.54.040 Meetings, Officers, Records and Quorum**
- 2.54.050 Duties**
- 2.54.060 Expenditure-Budget**

2.54.010 Purpose

The purpose of the Environmental Review Committee (ERC) is to facilitate compliance with RCW 36.70A.172 that requires cities to include best available science in developing policies and development regulations to protect the functions and values of critical areas. (Ord. 24-01).

2.54.020 Membership

The ERC shall be composed of five (5) members. Members of the ERC shall be selected based on their scientific training and experience in fields relating directly to aquatic biology, geology, groundwater hydrology and soils science. At least one of the committee members shall be a professional engineer. Members shall be appointed by the City Council for a term of three (3) years. The initial appointments to the Commission shall be staggered three (3) year terms. One member shall serve an initial term of one (1) year; two members shall serve an initial term of two (2) years and two members shall serve an initial term of three (3) years. (Ord. 24-01).

2.54.030 Removal – Vacancies

The committee may, by majority vote, recommend to the City Council removal of an appointed member upon grounds as may be deemed appropriate. The City Council, by majority vote, may remove an appointed member of the committee and declare the position vacant. Vacancies occurring otherwise than by expiration of term shall be filled for any unexpired term in the manner used for regular appointments. (Ord. 24-01).

2.54.040 Meetings, Officers, Records, and Quorum

The ERC shall elect its own chairperson and vice-chairperson. The ERC shall hold regular meetings no less than twice a year or as deemed necessary to fulfill the purpose of the committee. The ERC shall adopt rules for transaction of business and shall keep a record of its meetings, findings, and determinations, which record shall be open to public inspection. All meetings shall be open to the public to allow for public participation. A majority of the membership of the committee shall constitute a quorum for the transaction of business. In the event of a vacancy, quorum shall be a majority of the remaining members, however not to be less than four members. (Ord. 24-01).

2.54.050 Duties

ERC shall evaluate and monitor the sensitive area policies and regulations to determine whether they are effective and if not, how they should be improved to effectively protect the functions and values of critical areas. The Division of Long Range Planning will assist in providing available scientific information on issue(s) under consideration to the ERC. ERC may consider any additional reliable scientific information on such issue(s). The ERC shall make recommendations, together with supporting documentation, to the Planning Commission. (Ord. 24-01).

2.54.060 Expenditure – Budget

The expenditures of the ERC, exclusive of gifts, shall be limited to appropriations made through, and approved by, the Community and Development Services Group of the City Council for the planning function of the City. The services and facilities of the City's planning division may be utilized by the ERC in performing its duties. (Ord. 24-01; Ord. 31-03).

Chapter 2.56 - Public Information Program**Sections:**

- 2.56.010 Authorized**
- 2.56.020 Information - To Be Objective**
- 2.56.030 Information - Content**
- 2.56.040 Prohibited Uses of Program**

2.56.010 Authorized

The development and implementation of a public information program, conducted and carried on by the City of Richland, and designed for the sole purpose of informing the public as to municipal programs, policies, issues and activities, is declared to be in the public interest, and is hereby authorized subject to the conditions set forth in this chapter. (Ord. 59-76 1.01).

2.56.020 Information - To be Objective

The content of any information, either written or oral, disseminated pursuant to the public information program authorized in Section 2.56.010, shall be balanced, factual and objective. No personal or subjective opinions shall be expressed which either promote, support or oppose any program, policy, issue or other municipal activity; provided, that nothing contained in this section shall prevent a balanced, factual and objective statement accurately reflecting all sides of any program, policy, issue or other municipal activity. (Ord. 59-76 1.02).

2.56.030 Information - Content

The content of any information, either written or oral, disseminated pursuant to the public information program authorized in Section 2.56.010, shall relate only to programs, policies, issues and other activities directly associated with, or affecting, municipal government within the City of Richland and shall be disseminated for informational purposes only. (Ord. 59-76 1.03).

2.56.040 Prohibited Uses of Program

No elective official of the City of Richland nor any employee of the City shall use, attempt to use, or authorize the use of any facilities or equipment forming a part of the public information program authorized in Section 2.56.010, directly or indirectly, for the purpose of assisting his campaign for reelection to the office he holds, or for election to any other office, or for election of any other person to any office, or for the promotion of or opposition to any ballot proposition; provided, however, that nothing contained in this section shall be deemed to prohibit the presentation or dissemination of balanced, factual, and objective information relating to ballot propositions which are directly associated with, or affect the municipal government of the City of Richland, and such presentation or other dissemination otherwise meets the standards herein provided.

For the purpose of this chapter, "facilities" and "equipment" include, but are not limited to, use of stationery, postage, machines, use of employees during working hours, vehicles, office space, publications, and clientele lists of persons served by the city. (Ord. 59-76 1.04).

Chapter 2.58 - Smoking and the Use of Tobacco-Related Products in the Work Environment**Sections:**

- 2.58.010 Definitions**
- 2.58.020 Uniform Smoking Policy**
- 2.58.030 Applicability**
- 2.58.040 Implementation**
- 2.58.050 Compliance**
- 2.58.060 Review**

2.58.010 Definitions

- A. "Smoking" or "to smoke" means and includes inhaling, exhaling, or carrying any burning tobacco or other plant matter including but not limited to cigarettes, cigars or pipes.
- B. "Smoking debris" includes but is not limited to cigarette or cigar butts, cigarette paper or product packaging, tobacco, smoke, ash, or any other residue resulting from smoking.
- C. "Tobacco-related product" means cigarettes, cigars, cheroots, stogies, periques, granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco, snuff, snuff flour, cavendish, plug and twist tobacco, fine cuttings, and sweepings of tobacco, and other kinds and forms of tobacco, prepared in such manner as to be suitable for chewing or smoking in a pipe or otherwise, or both for chewing and smoking.
- D. "Enclosed work areas" means those areas closed in by a roof and walls, with at least one (1) opening for ingress and egress, with the intended use primarily for and by officers and employees.
- E. "Common areas" mean those areas enclosed by a roof and walls in facilities which are owned, leased or rented by the City, including but not limited to employee lounges, lunch rooms, stairways, elevators and restrooms. (Ord. 28-90: Ord. 26-91).

2.58.020 Uniform Smoking Policy

Smoking or the use of tobacco-related products is prohibited in all City enclosed work and common areas, with the following exceptions:

- A. Temporary designated smoking areas:
 - 1. Temporary designated smoking areas which have been established and exist by direction of the City Manager.
 - 2. The City Manager or his or her designee shall determine the number and locations of those areas that are designated smoking areas, using already available means of ventilation or separation of office space.
 - 3. Temporary designated smoking areas shall be available for use whenever City employees are working in City facilities. Employees may use said temporary designated smoking areas only during their rest break(s) and lunch hour or before and after the work shift.
 - 4. All temporary designated smoking areas shall be eliminated by the City Manager on July 1, 1991 unless extended further by a legislative act of the council.
- B. Smoking and the use of tobacco-related products is permitted in outdoor areas unless smoke would be drawn into the work or common areas.
- C. City vehicles. Persons may not smoke in City vehicles, which have enclosed cabs. Smoking is allowed on open vehicles such as lawn mowing tractors or cabless backhoe tractors.
- D. If circumstances warrant further discussion with non-bargaining unit employees and bargaining unit representatives for purposes of clarifications and/or modification of applicability, then such discussion shall be concluded by July 1, 1991. (Ord. 28-90: Ord. 26-91).

2.58.030 Applicability

The City-wide no smoking policy banning the use of tobacco and tobacco-related products shall apply in all enclosed work and common areas, whether enclosed or shared office space, and shall apply to all persons who visit enclosed work and common areas, including all officers, employees, contractors or visitors during all hours and days of the year. (Ord. 28-90: Ord. 26-91).

2.58.040 Implementation

- A. Effective date. The City-wide uniform smoking policy shall become effective June 1, 1991.
- B. Notification. All City of Richland employment bulletins and communications shall include notification of the City-wide uniform smoking policy. Signs shall be posted at the main entrances to all City-owned buildings declaring smoking is not permitted in the building. (Ord. 28-90: Ord. 9-91).

2.58.050 Compliance

- A. Discipline. Discipline shall be imposed on any City officer or employee violating the uniform smoking policy, in accordance with the particular employee's collective bargaining agreement, the charter or the City personnel rules, whichever is applicable. The primary objective of discipline with regard to the City's uniform policy governing smoking and use of tobacco-related products in the work environment shall be to correct behavior in violation of said policy, not to punish or penalize employees who smoke.
- B. Smoking cessation classes.
 - 1. The City Manager shall be responsible for administering a smoking cessation program. For all officers and employees who wish to quit smoking, the City will sponsor and fully fund employee smoking cessation classes. Said classes will also be made available at officer or employee cost to spouses who wish to quit smoking. Officers and employees may also choose to use an alternative to the City-sponsored smoking cessation classes. Notification of an officer or employee's intent to participate in alternative classes shall be provided in advance of registration in accordance with procedures established by the City Manager. Upon submission of bonafide receipts, the City will reimburse officers and employees participating in and completing said alternative smoking cessation programs in an amount not to exceed the City's contribution of "per employee" cost for the program it sponsors. The City will make a one-time only contribution to an employee's effort to stop smoking.
 - 2. In conjunction with the first disciplinary warning imposed for violation of this chapter, the City will offer an officer or employee the opportunity to participate in smoking cessation classes established in (B)(1) of this section.
 - 3. "Employee" as used in sub-sections (B)(1) and (B)(2) of this section is defined in sub-section 2.28.028 of the Richland Municipal Code. (Ord. 28-90: Ord. 26-91: Ord. 3-97).

2.58.060 Review

The City Manager shall study the impact of the policy and shall make a recommendation to the Council regarding implementation of the policy ten (10) months after the effective date of this ordinance. The City Council may also consider recommendations from employees regarding the effect of the policy in enclosed work and common areas. The City Council may adopt those recommendations which are consistent with the provisions of this chapter. (Ord. 28-90: Ord. 26-91).

Chapter 2.60 - Sister City Relationships**Sections:****2.60.010 Selection****2.60.020 Requirements for Independent Funding and Citizen Involvement****2.60.030 City Liaison****2.60.040 No Retroactive Effect****2.60.010 Selection**

- A. All cities chosen to affiliate with the City of Richland as Sister Cities must be located in countries that have established diplomatic relations with the United States.
- B. Preference shall be given to a City requesting a Sister City relationship with the City of Richland where such City has no other Sister City in the United States.
- C. The City of Richland and the proposed Sister City shall be of similar size and role, either absolutely or in relation to their regions.
- D. The City of Richland shall have cultural, educational, economic, governmental or social interests in common with the proposed Sister City.

2.60.020 Requirements for Independent Funding and Citizen Involvement

In recognition of the people-to-people philosophy underlying the Sister City Program, the City of Richland shall establish no Sister City without the following criteria being met:

- A. There exists in the Richland community substantial, long-term, broad-based interest in establishing the relationship; interest that transcends transitory, political or social concerns which reflects on-going community involvement with the Sister City's region or people.
- B. An organization, acting as a non-profit entity under Washington laws, will be prepared to undertake the financial and staffing requirements necessary to properly administer such a relationship.
- C. The organization will present a plan of action for the first year of such a relationship that demonstrates, whether through volunteer or professional time commitment, the ability to respond in a timely fashion to overtures from the Sister City, to work with the Council and with other community organizations in furthering the relationship, and to represent the City of Richland with thorough-going competence and integrity.
- D. The organization will demonstrate a financial capability sufficient to fully fund its operations and the various visits, receptions, delegations, and other similar functions such a relationship entails, without financial contribution from the City. Financial capability need not mean exclusively cash-in-hand, but may include commitments to contribute material, services or time.
- E. Every year each organization shall submit a summary of programs held, successes, shortcomings, and a plan of action for the next year to the Council.
- F. Failure to meet requirements of independent funding and citizen involvement may result in the revocation of Sister City status by the City Council.

2.60.030 City Liaison

The Council shall designate the City Manager as the Staff Liaison Officer with responsibility over Sister City Programs. The Officer shall handle communications between the Council and City staff and such sister cities as are or may be established, liaison responsibilities between the Council and the committee required by Section 2 hereof, staff support (as defined by the Council to the committees), and such other duties as the Council may assign.

2.60.040 No Retroactive Effect

Existing Sister City relationships shall continue in force and need not pass through the initial approvals process hereby set forth. Following a one year implementation period, Sister City relationships in existence at the time of passage of this ordinance shall be subject to all other requirements of this ordinance

HISTORICAL CHRONOLOGY OF ORDINANCES

Ord. 8	Ord. 594	Ord. 80-77	Ord. 26-91	Ord. 37-01
Ord. 11	Ord. 595	Ord. 01-78	Ord. 30-91	Ord. 41-02
Ord. 12	Ord. 603	Ord. 06-78	Ord. 38-91	Ord. 14-03
Ord. 13	Ord. 625	Ord. 08-78	Ord. 39-91	Ord. 31-03
Ord. 14	Ord. 626	Ord. 34-78	Ord. 40-91	Ord. 40-03
Ord. 15	Ord. 636	Ord. 50-78	Ord. 08-92	Ord. 13-04
Ord. 16	Ord. 641	Ord. 63-78	Ord. 15-92	Ord. 27-04
Ord. 17	Ord. 715	Ord. 70-78	Ord. 20-92	Ord. 33-04
Ord. 18	Ord. 729	Ord. 13-79	Ord. 21-92	Ord. 36-04
Ord. 23	Ord. 742	Ord. 15-79	Ord. 38-92	Ord. 37-05
Ord. 30	Ord. 746	Ord. 59-79	Ord. 42-92	Ord. 38.05
Ord. 31	Ord. 751	Ord. 80-79	Ord. 51-92	Ord. 04-07
Ord. 34	Ord. 765	Ord. 106-79	Ord. 54-92	Ord. 08-07
Ord. 41	Ord. 769	Ord. 03-80	Ord. 09-93	Ord. 25-07
Ord. 49	Ord. 771	Ord. 04-80	Ord. 14-93	Ord. 29-07
Ord. 56	Ord. 782	Ord. 05-80	Ord. 28-93	Ord. 09-08
Ord. 67	Ord. 785	Ord. 07-80	Ord. 29-93	Ord. 21-08
Ord. 92	Ord. 788	Ord. 17-80	Ord. 37-93	Ord. 10-09
Ord. 96	Ord. 797	Ord. 76-80	Ord. 49-93	Ord. 12-09
Ord. 116	Ord. 802	Ord. 13-81	Ord. 55-93	Ord. 18-09
Ord. 123	Ord. 806	Ord. 60-81	Ord. 05-94	Ord. 32-09
Ord. 125	Ord. 811	Ord. 70-81	Ord. 20-94	Ord. 05-10
Ord. 130	Ord. 822	Ord. 40-82	Ord. 26-94	Ord. 06-10
Ord. 147	Ord. 825	Ord. 17-83	Ord. 36-94	
Ord. 178	Ord. 831	Ord. 23-83	Ord. 37-94	
Ord. 179	Ord. 01-74	Ord. 28-83	Ord. 59-94	
Ord. 180	Ord. 07-74	Ord. 29-83	Ord. 13-95	
Ord. 181	Ord. 28-74	Ord. 38-83	Ord. 22-95	
Ord. 186	Ord. 46-74	Ord. 66-83	Ord. 02-96	
Ord. 216	Ord. 47-74	Ord. 16-84	Ord. 17-96	
Ord. 234	Ord. 55-74	Ord. 17-84	Ord. 18-96	
Ord. 235	Ord. 62-74	Ord. 18-84	Ord. 39-96	
Ord. 275	Ord. 68-74	Ord. 37-84	Ord. 03-97	
Ord. 276	Ord. 69-74	Ord. 45-84	Ord. 13-97	
Ord. 298	Ord. 78-74	Ord. 08-85	Ord. 15-97	
Ord. 299	Ord. 59-75	Ord. 10-85	Ord. 17-97	
Ord. 303	Ord. 09-76	Ord. 12-85	Ord. 20-97	
Ord. 326	Ord. 16-76	Ord. 23-85	Ord. 29-97	
Ord. 327	Ord. 35-76	Ord. 35-85	Ord. 12-98	
Ord. 342	Ord. 44-76	Ord. 02-86	Ord. 18-98	
Ord. 348	Ord. 45-76	Ord. 34-86	Ord. 40-98	
Ord. 392	Ord. 58-76	Ord. 06-87	Ord. 02-99	
Ord. 402	Ord. 59-76	Ord. 07-87	Ord. 30-99	
Ord. 432	Ord. 70-76	Ord. 14-87	Ord. 40-99	
Ord. 444	Ord. 98-76	Ord. 02-88	Ord. 47-99	
Ord. 445	Ord. 104-76	Ord. 16-88	Ord. 55-99	
Ord. 454	Ord. 105-76	Ord. 04-89	Ord. 58-99	
Ord. 461	Ord. 10-77	Ord. 19-89	Ord. 07-00	
Ord. 492	Ord. 50-77	Ord. 10-90	Ord. 10-00	
Ord. 509	Ord. 56-77	Ord. 28-90	Ord. 11-00	
Ord. 511	Ord. 57-77	Ord. 33-90	Ord. 13-00	
Ord. 537	Ord. 59-77	Ord. 35-90	Ord. 17-00	
Ord. 542	Ord. 60-77	Ord. 38-90	RCW 41.20	
Ord. 563	Ord. 73-77	Ord. 39-90	Res. 36-96	
Ord. 567	Ord. 77-77	Ord. 09-91	Ord. 09-01	