

POULSBO DISTRIBUTION SCHEDULE

ORDINANCE NO. 2012-12

SUBJECT: Repealing Sections of Title 2 Relating to Boards and Commissions

CONFORM AS TO DATES & SIGNATURES

- (X) Filed with the City Clerk: 07/27/2012
- (X) Passed by the City Council: 08/01/2012
- (X) Signature of Mayor
- (X) Signature of City Clerk
- (X) Publication: 08/10/2012
- (X) Effective: 08/15/2012
- () Recorded: N/A

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- (X) Posted to Library Drive and Website

Jill A. Boltz
City Clerk

August 3, 2012
Date

ORDINANCE NO. 2012-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POULSBO, WASHINGTON, REPEALING CERTAIN SECTION OF TITLE 2, ADMINISTRATION AND PERSONNEL, OF THE POULSBO MUNICIPAL CODE, ELIMINATING CHAPTERS: 2.30 – COMMUNITY POLICE ADVISORY BOARD; 2.36 – PARKS AND RECREATION COMMISSION; 2.38 – TREE BOARD; AND 2.72 PUBLIC LIBRARY

WHEREAS, the City Council determines that it is appropriate to remove from the Poulsbo Municipal Code all references to the various advisory city committees (except for those committees established pursuant to state law, interlocal agreement, or otherwise, for example, Lodging Tax Advisory Committee, Planning Commission) in order to provide more flexibility in assigning tasks and providing direction to committees formed by the City Council.

WHEREAS, the City Council intends to form citizen advisory boards and committees by resolution to allow for more flexibility and specific tasking of projects; and

WHEREAS, the City Council desires to generalize provisions applicable to all committees by separate resolution,

NOW, THEREFORE, the City Council of the City of Poulsbo does ordain as follows:

SECTION 1. Chapter 2.30, Community Police Advisory Board, of the Poulsbo Municipal Code is hereby repealed in its entirety.

Chapter 2.30
COMMUNITY POLICE ADVISORY BOARD Repealed

Sections:

- ~~2.30.010 — Board established.~~
- ~~2.30.020 — Composition of board.~~
- ~~2.30.030 — Appointment Terms.~~
- ~~2.30.040 — Compensation.~~
- ~~2.30.050 — Duties of the board.~~
- ~~2.30.060 — Meetings and procedure.~~

2.30.010 Board established.

~~There is established for the city of Poulsbo a citizens advisory board to be known as the "community police advisory board." (Ord. 91-34 § 1 (part), 1991)~~

2.30.020 Composition of board.

~~The board shall consist of nine members, who shall meet the following qualifications:~~

- ~~A. — Not less than five of the members shall be city residents;~~
- ~~B. — At least two members shall be owners or managers of businesses located within the city;~~
- ~~C. — One member shall be a representative from the North Kitsap School District; and~~

~~D.— One member shall be a student at North Kitsap High School. (Ord. 95-03 § 1, 1995; Ord. 91-34 § 1 (part), 1991)~~

~~2.30.030 Appointment—Terms.~~

~~A.— All board members shall be appointed by the mayor, subject to confirmation by the city council.~~

~~B.— Initial appointments to the board shall be made for the following terms:~~

- ~~1.— Two members of the board shall be appointed for one-year terms;~~
- ~~2.— Two members of the board shall be appointed for two-year terms;~~
- ~~3.— Two members of the board shall be appointed for three-year terms; and~~
- ~~4.— Three members of the board shall be appointed for four-year terms.~~

~~C.— All subsequent appointments, except for vacancies, shall be for four-year terms; provided, that members shall remain in office until their successors are appointed and confirmed.~~

~~D.— Vacancies occurring otherwise than through the expiration of terms shall be filled for the remainder of the term of the member being replaced. Vacancies shall be filled in the same manner as original appointments.~~

~~E.— Members may be removed at will at any time prior to the end of their term by the mayor. In addition, members who fail to attend three consecutive regular meetings may be considered to have vacated their positions and may be replaced, as provided for herein. Any member who ceases to have the qualifications provided in Section 2.30.020 shall be deemed to have forfeited his or her office. (Ord. 91-34 § 1 (part), 1991)~~

~~2.30.040 Compensation.~~

~~No member of the board shall receive compensation for services performed. (Ord. 91-34 § 1 (part), 1991)~~

~~2.30.050 Duties of the board.~~

~~A.— The duties of the board shall include, but not be limited to, the following:~~

- ~~1.— To advise and make recommendations to the mayor, city council and chief of police concerning the provision of police protection and services within the city;~~
- ~~2.— To enhance police community relations;~~
- ~~3.— To review and make recommendations concerning police department policy, procedures and programs, including the budgetary implications thereof;~~
- ~~4.— To promote public awareness of the city's police services and programs, including, but not limited to, crime prevention and D.A.R.E.;~~
- ~~5.— To hold public hearings from time to time to solicit public input regarding police services and programs;~~
- ~~6.— To serve as a liaison between the police department and the community;~~
- ~~7.— To apprise the mayor, city council and chief of police of the community's need for police services;~~

~~8.—To encourage individuals and community groups to assist the police department in the implementation of police programs and services, including the provisions of funds, manpower and property;~~

~~9.—To review and make recommendations concerning the construction, development and purchase of police facilities and equipment; and~~

~~10.—To review and make recommendations concerning such other and further matters as may be referred to the board, from time to time, by the mayor, city council or the chief of police.~~

~~B.—The board shall make a quarterly report to the mayor and city council regarding these activities.~~

~~C.—Notwithstanding the broad powers of the board under subsection A of this section, the board shall have no power or authority to investigate, review, or otherwise participate in matters involving specific police personnel or specific police related incidents. (Ord. 96-23 § 1, 1996; Ord. 91-34 § 1 (part), 1991)~~

~~2.30.060 Meetings and procedure.~~

~~A.—The board shall have at least one regular meeting per calendar quarter on such day and at such time as may be determined by the board. Special meetings may be held as often as the board deems necessary. All meetings of the board shall be open to the public, except as otherwise provided in the state Open Public Meetings Act. The board shall follow all requirements of the Open Public Meetings Act.~~

~~B.—For purposes of conducting the board's business, exercising its powers and for all other purposes, a quorum of the board shall consist of five or more members. Any action taken by a majority of those present, when those present constitute a quorum at any regular or special meeting of the board, shall be deemed and taken as the action and decision of the board.~~

~~C.—The board shall elect such officers as it deems necessary in order to conduct its business. The board shall adopt such rules of procedure as it deems necessary.~~

~~D.—The board shall tape record or keep minutes of all meetings held and all business transacted. All records of the board shall be open for public inspection, except those that may be exempt from public disclosure under state law. (Ord. 2003-06 § 1, 2003; Ord. 91-34 § 1 (part), 1991)~~

SECTION 2. Chapter 2.36, Parks and Recreation Commission, of the Poulsbo Municipal Code, is hereby repealed in its entirety.

Chapter 2.36

PARKS AND RECREATION COMMISSION Repealed

Sections:

~~2.36.010—Established Purpose.~~

~~2.36.020—Membership.~~

~~2.36.030—Terms of commissioners—Filling vacancies.~~

- ~~2.36.040—Meetings.~~
- ~~2.36.050—Officers.~~
- ~~2.36.060—Quorum.~~
- ~~2.36.070—Powers, authority and duties of the commission.~~
- ~~2.36.080—Recommended parks and recreation department budget.~~
- ~~2.36.090—Annual report to city council.~~

~~2.36.010 Established—Purpose.~~

~~Pursuant to RCW 35.23.170, there is established a city park and recreation commission which shall advise and make recommendations to the mayor and city council regarding the development and improvement of parks, trails and other recreational facilities for the use and benefit of the public. The commission shall also make recommendations concerning the formulation of policy and implementation of plans and programs related to the city park system. (Ord. 97-30 § 1 (part), 1997; Ord. 96-05 § 3 (part), 1996)~~

~~2.36.020 Membership.~~

~~A.—The park and recreation commission shall consist of seven members to be appointed by the mayor and confirmed by the city council.~~

~~B.—Park and recreation commission members shall serve without compensation.~~

~~C.—Members of the park and recreation commission shall meet the following residency qualifications:~~

- ~~1.—At least five members shall be residents of the city of Poulsbo at the time of appointment and throughout their tenure in office. Any resident member who ceases to live within the Poulsbo city limits during the term of his/her office shall forfeit the office;~~
- ~~2.—Up to two members may be nonresidents of the city who live in the North Kitsap School District. Any nonresident member who ceases to live within the North Kitsap School District during the term of his/her office shall forfeit the office.~~

~~D.—Current Poulsbo city employees are not eligible to serve as members on the park and recreation commission. (Ord. 2005-10 § 1, 2005; Ord. 97-30 § 1 (part), 1997; Ord. 96-05 § 3 (part), 1996)~~

~~2.36.030 Terms of commissioners—Filling vacancies.~~

~~A.—All members shall serve for a period of three years; provided, that those members presently serving shall serve out the remainder of their unexpired terms. All subsequent appointment to these positions shall be for three-year terms.~~

~~B.—Vacancies occurring otherwise than through the expiration of terms shall be filled for the unexpired term. An individual appointed to fill an unexpired term shall be appointed only for the remainder of that term.~~

~~C.—Members of the park and recreation commission may be removed at any time by the mayor with the approval of the majority of the city council. (Ord. 2005-10 § 2, 2005; Ord. 97-30 § 1 (part), 1997; Ord. 96-05 § 3 (part), 1996)~~

2.36.040 Meetings.

~~The park and recreation commission shall meet on the fourth Monday of each month at seven p.m. in Poulsbo City Hall. In the event that any regular meeting day falls upon a city holiday, the meeting shall be conducted on the following Monday, unless a special meeting date is set in advance. Special meetings may be held as often as the commission deems necessary. Notice of special meetings must be provided in accord with the Washington State Open Public Meetings Act. (Ord. 97-30 § 2, 1997; Ord. 96-05 § 3 (part), 1996)~~

2.36.050 Officers.

~~At the first meeting each year, the commission shall elect from the members of the commission a chairman, vice chairman, secretary and such other officers as may be necessary. The chairman shall preside at all meetings of the commission. If the chairman is absent, then the vice chairman shall preside. The secretary shall sign the minutes and draft various commission correspondence. Minutes of all meetings and proceedings of the commission shall be kept. (Ord. 96-05 § 3 (part), 1996)~~

2.36.060 Quorum.

~~For purposes of conducting the commission's business, exercising its powers and for all other purposes, a quorum of the park and recreation commission shall consist of four or more members. Any action taken by a majority of those present, when those present constitute a quorum at any regular or special meeting of the park and recreation commission, shall be deemed and taken as the action and decision of the commission. (Ord. 97-30 § 1 (part), 1997; Ord. 96-05 § 3 (part), 1996)~~

2.36.070 Powers, authority and duties of the commission.

~~The park and recreation commission shall be responsible to the city council for its duties and actions. The duties of the park commission shall include, but not be limited to, the following:~~

- ~~A. To give advisory recommendations to the city council on all regulations, resolutions, plans, policies, projects and proposals relating to the city park system, recreational facilities or open space;~~
- ~~B. To consult with and give advisory recommendations to the public works director and the parks and recreation director regarding policies and programs for the maintenance and use of all the city's park and recreational facilities;~~
- ~~C. To give advisory recommendations to the State Environmental Policy Act (SEPA) responsible official on all plans and policies relating to the city park system;~~
- ~~D. To give advisory recommendations to the State Environmental Policy Act (SEPA) responsible official on all development impact mitigation proposals for projects requiring SEPA review, except in instances when a monetary donation complying with the recommended standards set forth in the city's parks and open space plan is proposed;~~
- ~~E. To promote public use and awareness of the city's park facilities and services;~~
- ~~F. To hold public meetings from time to time to solicit public input for the city's park and open spaces planning process;~~

~~G. To apprise the city council, the parks and recreation director and the public works director of the community's park and recreational needs;~~

~~H. To periodically prepare an update of the city's comprehensive park and open space plan (including the six-year park system capital improvement program) in conjunction with the public works director, the parks and recreation director and the planning director for review and final approval of the city council;~~

~~I. To cooperate with the public works director and the parks and recreation director in resolving any concerns or complaints that arise regarding the park system;~~

~~J. To encourage individuals and community groups to give funds, manpower and property for the improvement and development of city parks and recreational facilities;~~

~~K. Perform such other services and studies as may be requested by the council. (Ord. 2005-17 § 1 (part), 2005; Ord. 97-30 § 1 (part), 1997; Ord. 96-05 § 3 (part), 1996)~~

~~2.36.080 Recommended parks and recreation department budget.~~

~~The commission shall submit recommendations for the parks portion of the public works department budget and the parks and recreation department budget to the public works director and the parks and recreation director on or before June 15th of each year. The public works director and the parks and recreation director shall prepare draft versions of the budgets for review by the park commission. The commission, public works director and recreation director together shall alter the draft budgets prepared in order to conform to the parks and open space plan goals and policies, the six-year park system capital improvement program, the maintenance and operation needs and the reserve fund needs.~~

~~In addition to the amount of money recommended for the parks portion of the public works department to carry on its activities for the ensuing year, the budgets may include recommendations for the acquisition of land, structures and facilities needed for the efficient administration, construction and development of the public park and recreation system. (Ord. 2005-17 § 1 (part), 2005; Ord. 96-05 § 3 (part), 1996)~~

~~2.36.090 Annual report to city council.~~

~~The parks and recreation commission shall make a full report in writing to the city council on or before the council's first meeting in May of each year. The report shall advise the council of its goals and objectives for the current year and any other general recommendations and reports that relate to the prescribed duties and responsibilities of the commission. (Ord. 97-30 § 1 (part), 1997; Ord. 96-05 § 3 (part), 1996)~~

SECTION 3. Chapter 2.38, Tree Board, of the Poulsbo Municipal Code is hereby repealed in its entirety.

Chapter 2.38

TREE BOARD Repealed

Sections:

~~2.38.010 Title Board established.~~

~~2.38.020 Membership.~~

~~2.38.030 Appointments Terms of office.~~

~~2.38.040 Compensation.~~

~~2.38.050 Meetings.~~

~~2.38.060 Duties of the board Purpose.~~

~~2.38.010 Title Board established.~~

~~There is established for the city of Poulsbo a citizens' advisory board to be known as the Poulsbo tree board. (Ord. 97-05 § 1 (part), 1997)~~

~~2.38.020 Membership.~~

~~The Poulsbo tree board shall be composed of seven voting members, at least four of whom shall be residents of the city of Poulsbo. The parks and recreation director, public works director, and a city councilmember, or their designees, shall serve as additional non-voting ex officio members of the board. Members shall be appointed by the mayor with confirmation from the city council. Members shall show an interest in accomplishing the purposes of the board. Membership should include residents and individuals with expertise in any of the following areas: local business, utilities, urban forestry, nursery and landscape businesses, and landscape architects and designers. (Ord. 2005-17 § 1 (part), 2005; Ord. 97-05 § 1 (part), 1997)~~

~~2.38.030 Appointments Terms of office.~~

~~The initial appointment shall be three members to one-year terms, two members to two-year terms, and two members to three-year terms. Each appointment thereafter shall serve a three-year term. In the event of a vacancy of any position, the mayor shall appoint a successor for the unexpired portion of the term with confirmation by the city council. Members may be removed by the mayor, subject to approval by the city council, for inefficiency or neglect of duty. If a member misses three meetings or more in a row, this will automatically constitute neglect of duty. (Ord. 97-05 § 1 (part), 1997)~~

~~2.38.040 Compensation.~~

~~No member of the board shall receive compensation for services performed. Reasonable expenses of the board and its members may be provided for by budgeted funds as approved by vote of the city council. (Ord. 97-05 § 1 (part), 1997)~~

~~2.38.050 Meetings.~~

~~A. The board shall have at least one regular meeting per month on such day of the month and at such time as may be determined by the board. Special meetings may be held as often as the board deems necessary.~~

~~B. For purposes of conducting the board's business, exercising its powers and for all other purposes, a quorum of the board shall consist of four or more members. Any action taken by a majority of those present, when those present constitute a quorum at any regular or special meeting of the board, shall be deemed and taken as the action and decision of the board.~~

~~C. The board shall elect such officers as it deems necessary in order to conduct its business. The board shall adopt such rules of procedure as it deems necessary.~~

~~D. The board shall tape record or keep minutes of all meetings held and all business transacted. All records of the board shall be open for public inspection, except those that may be exempt from public disclosure under state law. (Ord. 97-05 § 1 (part), 1997)~~

~~2.38.060 Duties of the board—Purpose.~~

~~The tree board shall be responsible to the city council for its duties and actions. The tree board shall acquire authorization from the city council prior to undertaking any project. The duties of the tree board shall include, but not be limited to, the following:~~

- ~~A.—Promoting the responsible planting of trees on public and private property;~~
- ~~B.—Promoting public education about trees;~~
- ~~C.—Promoting proper tree maintenance;~~
- ~~D.—Advocating trees within the city;~~
- ~~E.—Providing for aesthetics within the city through the formulation and implementation of tree programs;~~
- ~~F.—Developing innovative and joint funding for tree projects from a variety of sources;~~
- ~~G.—Providing the mayor and city council with a yearly report regarding tree board activities. (Ord. 97-05 § 1 (part), 1997)~~

SECTION 4. Chapter 2.72, Public Library, of the Poulsbo Municipal Code is hereby repealed in its entirety.

**Chapter 2.72
PUBLIC LIBRARY**

Sections:

- ~~2.72.010—Established.~~
- ~~2.72.020—Poulsbo public library board.~~
- ~~2.72.025—Meetings.~~
- ~~2.72.030—Appropriations.~~
- ~~2.72.040—Indebtedness unlawful.~~
- ~~2.72.050—City not liable.~~
- ~~2.72.060—Use of public meeting rooms.~~
- ~~2.72.070—Fees.~~

~~2.72.010 Established.~~

~~There is established a public library for the city of Poulsbo, to be known as the Valborg Oyen Public Library. (Ord. 329 § 1, 1968; Ord. 58 § 1, 1917)~~

~~2.72.020 Poulsbo public library board.~~

~~The library shall be controlled and managed by a board of trustees, to be called the Poulsbo library board, consisting of five members who shall be appointed and hold office for the terms provided by state law. The officers of the library board shall be elected and hold office as stipulated in adopted bylaws. (Ord. 97-03 § 1, 1997; Ord. 86-02 § 4, 1986; Ord. 58 § 2, 1917)~~

~~2.72.025 Meetings.~~

~~The library board shall meet at least four times each year in the Poulsbo Library at five p.m. on the second Monday of every third month. Specific meeting dates may be obtained by contacting the Poulsbo Library. Notice of the dates of all meetings shall be given as required by the state Open Public Meetings Act provisions concerning special meetings. (Ord. 85-13 § 4, 1985)~~

~~2.72.030 Appropriations.~~

~~The city council of the city of Poulsbo shall annually, or when deemed expedient, appropriate such sums of money as shall be deemed necessary and wise for maintenance upkeep of the library, such money to be expended under the direction of the public works director. (Ord. 2005-17 § 1 (part), 2005; Ord. 97-03 § 2, 1997; Ord. 58 § 3, 1917)~~

~~2.72.040 Indebtedness unlawful.~~

~~It is unlawful for the library board to contract any indebtedness in excess of the appropriations made for its use by the city council; provided, however, that the library board may accept and devise means for revenue from other sources in addition to the appropriations made by the city council. (Ord. 58 § 4, 1917)~~

~~2.72.050 City not liable.~~

~~The city of Poulsbo is in no way liable for any contract entered into or debt incurred by the library board in excess of the amount appropriated for library purposes. (Ord. 58 § 5, 1917)~~

~~2.72.060 Use of public meeting rooms.~~

~~The public works director is authorized to develop and implement rules and regulations for the scheduling and use of public meeting rooms in the Valborg Oyen Public Library during times when the rooms are not needed for the conduct of city business. Every person, firm, or organization other than the city desiring to use a public meeting room shall be required to reserve the same according to the rules and regulations and shall be required to sign a meeting room use form as developed by the public works director. The rules, regulations and form shall be designed by the public works director to ensure fair treatment of those desiring to schedule room use, to ensure orderly use, and to protect the public's investment in the room and the library. The form shall constitute an agreement that the user will comply with all rules and regulations established by the public work director for the requested use. (Ord. 2005-17 § 1 (part), 2005; Ord. 2001-08 § 1 (part), 2001)~~

~~2.72.070 Fees.~~

~~Persons, firms, corporations, and organizations other than the Friends of the Library organization shall be charged a fee for the use of public meeting rooms at the Valborg Oyen Public Library as set forth in Section 3.12.090(B). (Ord. 2003-16 § 4, 2003; Ord. 2003-03 § 1, 2003; Ord. 2001-08 § 1 (part), 2001)~~

SECTION 5. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances is not affected.

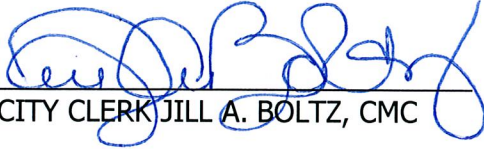
SECTION 6. Effective Date. This ordinance shall take effect and be in full force five (5) days after publication of the attached summary, which is hereby approved.

APPROVED:



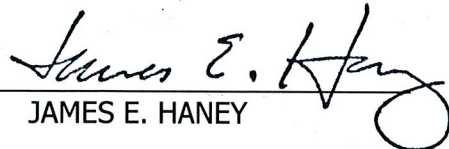
MAYOR REBECCA ERICKSON

ATTEST/AUTHENTICATED:



CITY CLERK JILL A. BOLTZ, CMC

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 
JAMES E. HANEY

FILED WITH THE CITY CLERK: 07/27/2012
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