

POULSBO DISTRIBUTION SCHEDULE

ORDINANCE NO. 2015-07

SUBJECT: Appointed Officers - Amendment and Addition of City Prosecutor

CONFORM AS TO DATES & SIGNATURES

- ☒ Filed with the City Clerk: 04/10/2015
- ☒ Passed by the City Council: 04/15/2015
- ☒ Signature of Mayor
- ☒ Signature of City Clerk
- ☒ Publication: 04/17/2015
- ☒ Effective: 04/22/2015
- ☐ Recorded: _____

DISTRIBUTED COPIES AS FOLLOWS:

- ☒ NK Herald: E-mailed 04/15/2015 NS
- ☐ Code Publishing
- ☐ City Attorney
- ☐ Clerk's Department:
- ☐ City Council
- ☐ Finance:
- ☒ Posted to Library Drive and Website
- ☐ _____

Nicole Stephens
City Clerk

04/20/2015
Date

ORDINANCE NO. 2015-07

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, AMENDING CHAPTER 2.08 OF THE POULSBO MUNICIPAL CODE IN ORDER TO REVISE THE DUTIES OF THE APPOINTED MUNICIPAL OFFICERS PROVIDED FOR IN SUCH CHAPTER AND IN ORDER TO ADD THE OFFICE OF CITY PROSECUTOR PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Chapter 2.08 of the Poulsbo Municipal Code provides for certain administrative officers and sets forth the authority, duties, and qualifications for such officers as required by RCW 35A.12.020; and

WHEREAS, the City Council has determined to revise the duties of such officers as provided in this ordinance and to create the office of City Prosecutor.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF POULSBO, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. **Appointive Officers.** Chapter 2.08 of the Poulsbo Municipal Code is hereby amended to read as follows:

Chapter 2.08

APPOINTIVE MUNICIPAL OFFICES

- | | |
|-----------------|---------------------------------------|
| 2.08.010 | Purpose of Chapter. |
| 2.08.020 | City Clerk. |
| 2.08.030 | Finance Director. |
| 2.08.040 | Police Chief. |
| 2.08.050 | City Attorney. |
| 2.08.060 | City Prosecutor. |
| 2.08.070 | Planning Director. |
| 2.08.080 | Parks and Recreation Director. |
| 2.08.090 | City Engineer. |
| 2.08.100 | Public Works Superintendent. |

- 2.08.110 Building Official.**
- 2.08.120 Appointment and Term.**
- 2.08.130 Oaths of Office and Bonds.**
- 2.08.140 Qualifications.**

2.08.010 Purpose of Chapter.

This chapter establishes the appointive offices set forth herein and provides for the authority, duties, and qualifications of such officers as required by RCW 35A.12.020.

2.08.020 City Clerk.

The office of City Clerk is hereby established. The City Clerk shall have all of the authority and perform all of the duties specified in RCW Title 35A for city clerks, together with any other duties or authority which now or hereafter may be conferred upon such office by the laws of the state of Washington, the ordinances, Municipal Code, and resolutions of the City of Poulsbo, and the Mayor. The City Clerk is the head of the City Clerk's office and manages all clerical and record-keeping activities of the City. The City Clerk reports directly to the Mayor.

2.08.030 Finance Director.

The office of Finance Director is hereby established. The Finance Director shall have all of the authority and perform all of the duties specified in RCW Title 35A for city treasurers and finance directors, together with any other duties or authority which now or hereafter may be conferred upon such office by the laws of the state of Washington, the ordinances, Municipal Code, and resolutions of the City of Poulsbo, and the Mayor. The Finance Director is the head of the Poulsbo Finance Department and manages all financial and accounting activities of the City. The Finance Director reports directly to the Mayor.

2.08.040 Police Chief.

The office of Police Chief is hereby established. The Police Chief shall have all of the authority and perform all of the duties specified in RCW Title 35A for police chiefs, together with any other duties or authority which now or hereafter may be conferred upon such office by the laws of the state of Washington, the ordinances, Municipal Code, and resolutions of the City of Poulsbo, and the Mayor. The Police Chief is the head of the Poulsbo Police Department and manages the enforcement of all criminal and traffic laws in the City. The Police Chief reports directly to the Mayor.

2.08.050 City Attorney.

The office of City Attorney is hereby established. The City Attorney shall have all of the authority and perform all of the duties specified in RCW Title 35A for city attorneys, together with any other duties or authority which now or hereafter may be conferred upon such office by the laws of the state of Washington, the ordinances, Municipal Code, and resolutions of the City of Poulsbo, and the Mayor. The City Attorney shall be the City's legal advisor on all civil matters and shall represent the City in all civil court proceedings except where otherwise determined by the City or where legal representation is provided by the City's insurance carrier.

2.08.060 City Prosecutor.

The office of City Prosecutor is hereby established. The City Prosecutor shall have all of the authority and perform all of the duties specified in RCW Title 35A for city prosecutors, together with any other duties or authority which now or hereafter may be conferred upon such office by the laws of the state of Washington, the ordinances, Municipal Code, and resolutions of the City of Poulsbo, and the Mayor. The City Prosecutor shall be the City's legal advisor on

all criminal matters, civil and traffic infractions matters, and crime-related property forfeitures and shall represent the City in all criminal prosecution proceedings, civil infraction proceedings, and crime-related property forfeiture proceedings except where otherwise determined by the City.

2.08.070 Planning Director.

The office of Planning Director is hereby established. The Planning Director shall have all of the authority and perform all of the duties specified in RCW Title 35A for planning directors, together with any other duties or authority which now or hereafter may be conferred upon such office by the laws of the state of Washington, the ordinances, Municipal Code, and resolutions of the City of Poulsbo, and the Mayor. The Planning Director is the head of the Poulsbo Planning Department and manages all land use planning, permitting, and community development activities of the City. The Planning Director reports directly to the Mayor.

2.08.080 Parks and Recreation Director.

The office of Parks and Recreation Director is hereby established. The Parks and Recreation Director shall have all of the authority and perform all of the duties specified in RCW Title 35A for parks and recreation directors, together with any other duties or authority which now or hereafter may be conferred upon such office by the laws of the state of Washington, the ordinances, Municipal Code, and resolutions of the City of Poulsbo, and the Mayor. The Parks and Recreation Director is the head of the Poulsbo Parks and Recreation Department and manages all parks and recreation activities of the City. The Parks and Recreation Director reports directly to the Mayor.

2.08.090 City Engineer.

The office of City Engineer is hereby established. The City Engineer shall have all of the authority and perform all of the duties specified in RCW Title 35A for city engineers, together with any other duties or authority which now or hereafter may be conferred upon such office by the laws of the state of Washington, the ordinances, Municipal Code, and resolutions of the City of Poulsbo, and the Mayor. Whenever the Poulsbo Municipal Code refers to the term "public works director" it shall mean the City Engineer as to those public works functions assigned to the City Engineer by the Mayor. The City Engineer is the head of the Poulsbo Engineering Department and manages all engineering activities of the City. The City Engineer reports directly to the Mayor.

2.08.100 Public Works Superintendent.

The office of Public Works Superintendent is hereby established. The Public Works Superintendent shall have all of the authority and perform all of the duties specified in RCW Title 35A for public works superintendents, together with any other duties or authority which now or hereafter may be conferred upon such office by the laws of the state of Washington, the ordinances, Municipal Code, and resolutions of the City of Poulsbo, and the Mayor. Whenever the Poulsbo Municipal Code refers to the term "public works director" it shall mean the Public Works Superintendent as to those public works functions assigned to the Public Works Superintendent by the Mayor. The Public Works Superintendent is the head of the Poulsbo Public Works Department and manages the operation and maintenance of the City's public works. The Public Works Superintendent reports directly to the Mayor.

2.08.110 Building Official.

The office of Building Official is hereby established. The Building Official shall have all of the authority and perform all of the duties specified in RCW Title 19.27 and the state building code for building officials, together with any other duties or authority which now or hereafter may be conferred upon such office by the laws of the state of Washington, the ordinances, Municipal Code, and resolutions of the City of Poulsbo, and the Mayor. The Building Official shall administer the building codes adopted by the City. The Mayor may assign the duties of the Building Official to an appropriate department head or to any other qualified City employee. If the duties are assigned to an employee other than a department head, the Mayor shall specify the department head to whom the Building Official shall report.

2.08.120 Appointment and Term.

A. The offices of City Clerk, Finance Director, Police Chief, Planning Director, Parks and Recreation Director, and City Engineer shall be filled by written appointment of the Mayor, subject to confirmation by the City Council.

B. The office of City Attorney may be filled by written appointment of the Mayor, subject to confirmation by the City Council, or may be filled by a professional services contract approved by the City Council and executed by the Mayor.

C. The office of City Prosecutor may be filled by written appointment of the Mayor, subject to confirmation by the City Council, or may be filled by a professional services contract approved by the City Council and executed by the Mayor.

D. Assignment of the duties of the Building Official to an appropriate department head or to another qualified City employee shall be the decision of the Mayor and City Council conformation of the assignment shall not be required.

E. All appointees shall hold office for an indefinite period and shall serve at the pleasure of the Mayor, subject to any applicable provisions of the City's Personnel Manual.

2.08.130 Oaths of Office

The City Clerk and the Finance Director shall each be required to take an oath for the faithful performance of their official duties prior to entering upon the performance of their duties.

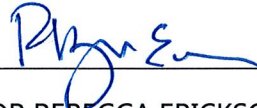
2.08.140 Qualifications.

All persons appointed to the offices established by this chapter shall be qualified to perform the duties of the office. Job descriptions and qualifications for the offices shall be maintained by the City's human resources manager and may be updated by the Mayor and Council from time to time as the need arises.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. This ordinance shall take effect five (5) days after publication of the attached summary, which is hereby approved.

APPROVED:



MAYOR REBECCA ERICKSON

ATTEST/AUTHENTICATED:

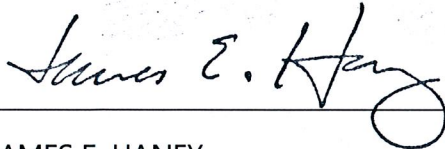


CITY CLERK NICOLE M. STEPHENS, CMC

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY:

BY



JAMES E. HANEY

FILED WITH THE CITY CLERK: 04/10/2015
PASSED BY THE CITY COUNCIL: 04/15/2015
PUBLISHED: 04/17/2015
EFFECTIVE DATE: 04/22/2015
ORDINANCE NO. 2015-07

SUMMARY OF ORDINANCE NO. 2015-07
of the City of Poulsbo, Washington

On the 15th day of April, 2015, the City Council of the City of Poulsbo, passed Ordinance No. 2015-07. A summary of the content of said ordinance, consisting of the title, provides as follows:

The full text of this Ordinance will be mailed upon request.

DATED this 15th day of April, 2015.

CITY CLERK NICOLE M. STEPHENS, CMC