

ORDINANCE NO. 2011-23

AN ORDINANCE of the City of Bainbridge Island, Washington, relating to the hearing examiner and amending Section 2.38.025 of the Bainbridge Island Municipal Code.

WHEREAS, the City Council from time to time has deemed it appropriate to assign to the hearing examiner the responsibility to hold hearings and make certain specialized determinations; and

WHEREAS, some of these assignments may appropriately be made by City Council resolution rather than ordinance;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 2.38.025 of the Bainbridge Island Municipal Code is hereby amended to read as follows:

2.38.025 Hearing examiner responsibilities and duties.

A. The hearing examiner is responsible for conducting hearings on and adjudicating quasi-judicial cases involving a variety of complex land use and regulatory compliance issues, and other issues which the city council may designate to the hearing examiner by ordinance or resolution. The hearing examiner shall issue decisions or recommendations based on relevant ordinances, regulations, policies, statutes, and other authorities.

B. Duties. In addition to any other duty established by ordinance or resolution, the hearing examiner:

1. Supervises and evaluates the work of employees as required.
2. Develops procedural rules for the scheduling and conduct of hearings and related matters. Such rules shall be ~~kept on file with~~ available from the office of the city clerk upon request.
3. Reviews properties that are the subject of hearings to become familiar with the terrain and relationships to other properties.
4. Receives and examines hearing related documents, and reviews case files, city codes and policies, environmental impact statements, plot plans and topographical maps.
5. Evaluates testimony and evidence, prepares records, enters final written findings, and imposes conditions to conform projects to city ordinances and land use policies.

6. Maintains knowledge of current relevant state and city land use laws, policies and related state and federal court decisions.
7. Prepares reports and correspondence to the city manager, city council, and planning commission as requested.
8. Prepares and submits annual written reports to the city manager and city council, including how many hearings have been conducted, the final outcome of hearings, the time required to issue decisions and the cost of hearings.
9. Meets with the city manager, city council, planning commission and staff as requested, to identify conflicts in the code.
10. When necessary, recommends candidates for pro tem hearing examiner, for approval by the city manager.

Section 2. This ordinance shall take effect and be in force five (5) days from its passage, approval, and publication as required by law.

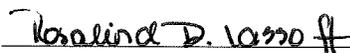
PASSED BY THE CITY COUNCIL this 30th day of November, 2011.

APPROVED BY THE MAYOR this 30th day of November, 2011.



Kirsten Hytopoulos, Mayor

ATTEST/AUTHENTICATE:



Rosalind D. Lassoff, City Clerk

FILED WITH THE CITY CLERK:	November 18, 2011
PASSED BY THE CITY COUNCIL:	November 30, 2011
PUBLISHED:	December 2, 2011
EFFECTIVE DATE:	December 7, 2011
ORDINANCE NUMBER:	2011-23