

ORDINANCE NO. 09-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINGTON, KING COUNTY, WASHINGTON AMENDING CHAPTERS 2.15, 2.40, 2.45 AND 2.70 OF THE COVINGTON MUNICIPAL CODE TO ADOPT NEW COMMISSIONER REMOVAL PROCEDURES, REMOVE PLANNING COMMISSION TERM LIMITS, AND ESTABLISH A PROVISION TO ALLOW INCUMBENT COMMISSIONERS TO SERVE UNTIL A REPLACEMENT HAS BEEN APPOINTED; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the city council previously created and adopted charters for each of the city's advisory commissions, codified in Chapters 2.15, 2.40, 2.45 and 2.70 of the Covington Municipal Code; and

WHEREAS, the city council wishes to amend all of the commission charters to adopt a new procedure for the removal of a commissioner and to adopt a provisions to allow incumbent commissioners to serve until their replacement has been appointed; and

WHEREAS, the city council further wishes to remove Planning Commission term limits;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINGTON, KING COUNTY, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The following amendments to Chapter 2.15.020 of the Covington Municipal Code (Planning Commission Charter) are hereby adopted:

2.15.020 Membership.

(1) Qualifications. Members of the Planning Commission shall be selected from individuals who have an interest in environmental affairs, planning, land use, and residential and commercial development as evidenced by training, experience, interest or actions. An intent of the selection process shall be to evenly represent the areas of interest as stated herein. Membership in the Planning Commission shall be limited to residents within the City; provided, however, at any given time the commission may consist of a maximum of two members who reside outside the City, but within a three-mile radius of the City limits of Covington. ~~No member shall serve longer than two consecutive terms.~~

(2) Number of Members – Terms. The Planning Commission shall consist of seven members. To allow the staggering of terms for the initial commission, positions shall be numbers one through seven through a random drawing. The initial terms of positions one, two and three shall be for two years. The initial terms of positions four, five, six and seven shall be four years. Subsequent terms shall be for a term of four years. Terms shall commence on September 1st and expire end August 31st of the respective years. If a member is not appointed for a new term on September 1st, the incumbent member may continue to serve in that position until such later date when a member is appointed for a new term. The date a member is appointed to their term of office shall not affect the

expiration date of that term. When a vacancy occurs on the commission, the replacement member shall be appointed only for the remainder of the unexpired term.

(3) Appointment. Members of the Planning Commission shall be appointed by the City Council. Members shall be confirmed by a majority vote of the City Council. Commissioners shall be selected without respect to political affiliations and shall serve without compensation.

(4) Removal. ~~Members of the commission may be removed by the Mayor, with the concurrence of the City Council, for neglect of duty, conflict of interest, malfeasance in office, or other just cause, or for unexcused absence from more than three consecutive regular meetings.~~ Commission members may be removed by the City Council at any time pursuant to the Covington City Council Rules of Procedure, as amended from time to time. Failure to qualify as to residency within a three-mile radius of the City limits of Covington shall constitute a forfeiture of office. The decision of the City Council regarding membership on the Planning Commission shall be final and there shall be no appeal therefrom. Members finding themselves unable to attend regular meetings are expected to tender their resignation.

(5) Vacancies. Vacancies occurring other than through the expiration of terms shall be filled for the unexpired terms in the same manner as for appointments as provided in this chapter.

(6) Conflicts of Interest. Members of the Planning Commission shall fully comply with Chapter 42.23 RCW, Code of Ethics for Municipal Officers, Chapter 42.36 RCW, Appearance of Fairness, and such other rules and regulations as may be adopted from time to time by the City Council regulating the conduct of any person holding appointive office within the City. (Ord. 25-01 § 1; Ord. 28-97 § 2)

Section 2. The following amendments to Chapter 2.40.020 of the Covington Municipal Code (Human Services Commission) are hereby adopted:

2.40.020 Membership, terms, residence requirement.

(1) The Human Services Commission shall consist of seven members appointed by the City Council and selected from individuals who have an interest in youth and family affairs, as evidenced by training, experience, interest or actions. The intent of the selection process shall be to evenly represent the area of interests as stated herein. Three members shall be adults residing or working within the City of Covington, two shall be adults residing inside or outside of the City of Covington but within a three-mile radius of the City limits and two shall be youth members between the ages of 14 and 18 years at the start of their terms residing in or within a three-mile radius of the City of Covington.

(2) Term of Office. The term of office for all adult members shall be three years. Each of the youth members shall serve for a term of one year with an option to serve a second year without reapplying. Terms shall commence on April 1st and end March 31st of the respective years. If a member is not appointed for a new term on April 1st, the incumbent member may continue to serve in that position until such later date when a member is appointed for a new term. The

date a member is appointed to their term of office shall not affect the expiration date of that term. When a vacancy occurs on the Commission, the replacement member shall be appointed only for the remainder of the unexpired term.

(3) Appointment of Members. As a guideline, and to the extent practicable, appointments shall reflect a balance of interests and should include at least two persons employed at a business in the community, a member of the religious community, a representative of a regional human service planning organization such as the United Way or South King Council of Human Services and a service club representative. (Ord. 10-13; Ord. 04-05 § 1; Ord. 22-02 § 1)

(4) Removal. Commission members may be removed by the City Council at any time pursuant to the Covington City Council Rules of Procedure, as amended from time to time.

Section 3. The following amendments to Chapter 2.45.020 of the Covington Municipal Code (Parks and Recreation Commission) are hereby adopted:

2.45.020 Membership, terms, residence requirements.

(1) Membership. The Parks and Recreation Commission shall consist of seven members appointed by the City Council, two of which may be youth members who must be between the ages of 14 and 18 years at the start of their terms. Up to two of the members may reside outside the City, but those outside must reside within a three-mile radius of the City limits. The remaining five members must reside or work within the City limits.

(2) Term of Office. Each position shall have a term of office for three years; provided, however, any member designated as a youth member shall serve only for one year. If a youth member is appointed, the Council shall fill the position for the remaining years, if any, at the end of the youth term. Terms shall commence on February 1st and expire on January 31st of the respective years. If a member is not appointed for a new term on February 1st, the incumbent member may continue to serve in that position until such later date when a member is appointed for a new term. The date a member is appointed to their term of office shall not affect the expiration date of that term. When a vacancy occurs on the commission, the replacement member shall be appointed only for the remainder of the unexpired term. (Ord. 10-12 § 1; Ord. 02-05 § 1; Ord. 75-03 § 1; Ord. 21-02 § 1; Ord. 06-02 § 1; Ord. 02-01 § 1)

(3) Removal. Commission members may be removed by the City Council at any time pursuant to the Covington City Council Rules of Procedure, as amended from time to time.

Section 4. The following amendments to Chapter 2.70.020 of the Covington Municipal Code (Arts Commission) are hereby adopted:

2.70.020 Membership, terms, residence requirements.

(1) Membership. The Arts Commission shall consist of seven members appointed by the City Council, two of which may be youth members who must be between the ages of 14 and 18 at the start of their terms. Up to two of the members may reside outside the City, but those outside must reside within a

three-mile radius of the City limits. The remaining five members must work or reside within the City limits.

(2) Term of Office. Each position shall have a term of office for three years; provided, however, any member designated as a youth member shall serve for only one year. If a youth member is appointed, the Council shall fill the position for the remaining years, if any, at the end of the youth term. Terms shall commence on June 1st and expire on May 31st of the respective years. If a member is not appointed for a new term on June 1st, the incumbent member may continue to serve in that position until such later date when a member is appointed for a new term. The date a member is appointed to their term of office shall not affect the expiration date of that term. When a vacancy occurs on the commission, the replacement member shall be appointed only for the remainder of the unexpired term. (Ord. 10-11 § 1; Ord. 03-05 § 1; Ord. 20-02 § 1)

(3) Removal. Commission members may be removed by the City Council at any time pursuant to the Covington City Council Rules of Procedure, as amended from time to time.

Section 5. Severability. Should any section, paragraph, sentence, clause, or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 6. Corrections. Upon the approval of the city attorney, the city clerk is authorized to make any necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any reference thereto.

Section 7. Effective Date. This ordinance shall be published in the official newspaper of the city and shall take full force and effect five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF COVINGTON, WASHINGTON, at a regular meeting thereof this 24th day of June, 2014.



Mayor/Margaret Harto

PUBLISHED: June 27, 2014
EFFECTIVE: July 2, 2014

ATTESTED:



Sharon Scott, City Clerk

APPROVED AS TO FORM:



Sara Springer, City Attorney