

AN ORDINANCE OF THE CITY OF KIRKLAND CREATING THE POSITION OF HEARING EXAMINER AND GIVING TO THAT POSITION CERTAIN RESPONSIBILITIES AND AUTHORITIES.

WHEREAS, the City of Kirkland has adopted a new Zoning Code which contemplates that certain land use decisions will be made by Hearing Examiner; and

WHEREAS, in the Ordinance adopting the new Zoning Code, the City has repealed the Ordinance which created the Development Review Committee; and

WHEREAS, the City Council of the City of Kirkland determines that it will be consistent with the public health, safety and welfare to create the position of Hearing Examiner in the City of Kirkland.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. Hearing Examiner Position Established -
Appointment - Compensation: The City Council hereby creates the position of Hearing Examiner. The City Manager shall employ or contract with one or more persons to fill this position. The Hearing Examiner shall be compensated consistent with the general personnel and/or procurement laws of the City.

Section 2. Hearing Examiner Independence: The Hearing Examiner shall be free of any supervision or other influence from the City Manager or any other official or employee of the City with respect to any decision or recommendation made by the Hearing Examiner on a specific case, issue, or permit. Nothing in this section may be construed to prohibit the City Manager or any official or employee of the City from appearing before or submitting written information to the Hearing Examiner in the normal process of conducting Public Hearings for the City.

Section 3. Hearing Examiner Authority: The Hearing Examiner shall have the following authority and responsibilities:

1. The responsibilities listed in Title 22 of the Kirkland Municipal Code.
2. The responsibilities listed in Title 23 of the Kirkland Municipal Code.
3. The authority and responsibilities previously granted to the Development Review Committee, other than as established in Titles 22 and 23 of the Kirkland Municipal Code.

4. Such other authorities and responsibilities as the City Council from time to time shall specifically grant to the Hearing Examiner.

Section 4. Hearing Examiner Procedures: The Hearing Examiner shall follow procedures established by City Council and otherwise imposed by law. The Hearing Examiner may also establish rules of procedure consistent with procedures established by City Council and otherwise imposed by law for the orderly and fair conduct of matters coming before the Hearing Examiner.

Section 5. Effective Date: This Ordinance shall be in force and effect from and after the effective date of Ordinance No. 2678.

PASSED BY MAJORITY VOTE OF THE KIRKLAND CITY COUNCIL IN REGULAR, OPEN MEETING this 20th day of September, 1982.

SIGNED IN AUTHENTICATION thereof this 20th day of September, 1982.


MAYOR

ATTEST:


Director of Administration and Finance
(ex officio City Clerk)

APPROVED AS TO FORM:


City Attorney

I hereby certify under penalty of perjury that the foregoing ordinance was posted on the 22nd day of September, 1982 in accordance with the provisions of RCW 35A.12.160 and City of Kirkland Ordinance No. 2600.


Clerk