

Title 2

ADMINISTRATION AND PERSONNEL

Chapters:

- 2.04 Town Council**
- 2.08 Town Administrator**
- 2.12 Repealed*
- 2.13 Fire Department**
- 2.14 Repealed*
- 2.15 Repealed*
- 2.16 Repealed*
- 2.20 Declarations of Candidacy**
- 2.24 Planning Commission**
- 2.28 Repealed*
- 2.32 Employees' Retirement System**
- 2.36 Payroll Warrant Issuance Procedure**
- 2.40 Returned Check Cost Recovery**
- 2.50 Reporting Improper Governmental Action and Protecting Employees
Against Retaliation**
- 2.54 Equal Employment Opportunity**
- 2.58 Historic Preservation Review Board**
- 2.62 Emergency Management Services**
- 2.66 Lodging Tax Advisory Committee**

Chapter 2.04
TOWN COUNCIL

a dependence on our Constitution, our laws, and our striving to insure liberty and justice for all, as symbolized in the flag of our republic. (Ord. 1075 § 1, 1998)

Sections:

- 2.04.010 Purpose.
- 2.04.020 Place of meetings.
- 2.04.030 Time of meetings.
- 2.04.040 Parliamentary practice.
- 2.04.050 Pledge of Allegiance.

2.04.010 Purpose.

The purpose of this chapter is to set the place and times of regular meetings of the council of the town of Friday Harbor. (Ord. 1135 § 1, 2000)

2.04.020 Place of meetings.

Regular afternoon and evening meetings shall be held at the Town Hall, 60 Second Street, Friday Harbor, Washington. (Ord. 1135 § 2, 2000)

2.04.030 Time of meetings.

A. Regular afternoon meetings shall be held beginning at 12:00 noon and ending at 1:30 p.m. on the first and third Thursday of each month except when such day falls on a legal holiday in which case the meeting shall be held on the following Thursday.

B. Regular evening meetings shall be held beginning at 5:30 p.m. and ending at 7:30 p.m. on the first and third Thursday of each month except when such day falls on a legal holiday in which case the meeting shall be held on the following Thursday. (Ord. 1135 § 3, 2000)

2.04.040 Parliamentary practice.

Robert's Rules of Order, Newly Revised, is designated and adopted as the official manual of parliamentary practice for the guidance of the deliberations of the meetings of the council of the town. (Ord. 606 § 1, 1984; Ord. 28 § 1, 1909)

2.04.050 Pledge of Allegiance.

All meetings of the council shall commence with said flag salute so that all present are reminded that the business at hand is of a thoughtful and serious nature, and must reflect

Chapter 2.08

TOWN ADMINISTRATOR

Sections:

- 2.08.010 Purpose.
- 2.08.020 Duties and responsibilities.
- 2.08.030 Compensation.

2.08.010 Purpose.

The purpose of this chapter is to revise the duties of the town administrator, who shall be and act as administrative and executive supervisor to the government of the town under the authority and direction of the mayor. The position may be filled by appointment by the mayor and, at his discretion, the mayor may remove the town administrator. (Ord. 1124 § 1, 2000)

2.08.020 Duties and responsibilities.

Subject to the provisions of FHMC 2.08.010, the general duties and responsibilities of town administrator shall be as follows:

A. To have general supervision over the administrative affairs of the town;

B. To attend all meetings of the town council and such other meetings as directed by the mayor;

C. To recommend for adoption by the mayor and town council such measures as he may deem necessary or expedient;

D. To prepare and submit to the mayor or town council such reports as may be required by that body or as he may deem it advisable to submit;

E. To keep the mayor and town council fully advised of the financial condition of the town and its future needs and to assist in the preparation and submission to the mayor and town council a tentative budget for the fiscal year;

F. To investigate all complaints in relation to matters concerning the administration of the government of the town and in regard to the service maintained by public utilities in the town, and to see that all franchises, permits and privileges granted by the town are faithfully observed;

G. To make, compile and file with the town clerk a complete inventory of the property, real and personal, owned or leased by the town and file amended inventories thereof at least annually;

H. To audit town accounts regularly;

I. To supervise all purchasing by various town offices, departments, commissions and boards;

J. To supervise all expenditures by the various town offices, departments and commissions and boards, for the purpose of keeping the same within the limitations of the annual budget of the town;

K. To assist the mayor and council generally in conducting the town's business in all matters, and perform such other duties and assume such other responsibilities as the mayor or council may direct, and as by ordinances and resolutions of the town may be required;

L. To serve as personnel officer for the town. His principal duty as personnel officer shall include, without unnecessary limitation but subject to the approval of the mayor, the hiring of and the discharge of all town employees except the following:

1. Those employees and officers required by state law or town ordinance to be appointed by the mayor or elected by the voters of the town; and

2. Town personnel who might be subject to all applicable civil service laws, ordinances or regulations;

M. To inform himself about and to remain cognizant of federal and state grant and loan opportunities that could be of pecuniary value to the town, and to alert the proper town officials to any opportunities for taking advantage of federal and state grants which could benefit the town;

N. To administer the development code as defined in FHMC Title 20 as same may be amended from time to time. (Ord. 1124 § 2, 2000)

2.08.030 Compensation.

The compensation to be paid the town administrator shall be fixed by the town council in the yearly budget adopted by the town council. (Ord. 1124 § 3, 2000)

Chapter 2.12

TOWN MARSHAL

(Repealed by Ord. 1095)

Chapter 2.13**FIRE DEPARTMENT**

Sections:

- 2.13.010 Purpose.
- 2.13.020 Organization.
- 2.13.030 Fire chief – Position created.
- 2.13.040 Fire chief – Qualifications.
- 2.13.050 Fire chief – Selection.
- 2.13.060 Fire chief – Compensation.
- 2.13.070 Fire chief – Duties.
- 2.13.080 Firefighters – Volunteers.
- 2.13.090 Firefighters – Compensation.
- 2.13.100 Firefighters – Duties.
- 2.13.110 Automatic and mutual aid response.
- 2.13.120 Relief and Pension Act.
- 2.13.130 Board of trustees.

2.13.010 Purpose.

The purpose of this chapter is to provide for new criteria for the organization, maintenance and regulation of the town of Friday Harbor fire department and to establish new criteria for the volunteer fire department administration. (Ord. 1108 § 1, 1999)

2.13.020 Organization.

There is hereby created and established a fire department, consisting of volunteer firefighters, to be operated under the direction of a paid fire chief. Said department is hereby recognized as a separate town department under the direction of the town administrator. (Ord. 1108 § 2, 1999)

2.13.030 Fire chief – Position created.

There is hereby created a position of a paid fire chief. The position of fire chief shall be exempt from civil service pursuant to RCW 41.08.050. (Ord. 1108 § 3, 1999)

2.13.040 Fire chief – Qualifications.

The person filling the position of fire chief may be a member of the Friday Harbor fire department having sufficient training and experience in firefighting, but need not be a resident of the town. (Ord. 1108 § 4, 1999)

2.13.050 Fire chief – Selection.

The person filling the position of fire chief shall be selected in accordance with the recruiting policies of the town. (Ord. 1108 § 5, 1999)

2.13.060 Fire chief – Compensation.

The salary of the fire chief shall be set by ordinance at the time of adoption of the annual salary ordinance by the town council. (Ord. 1108 § 6, 1999)

2.13.070 Fire chief – Duties.

A. The fire chief, under the direction of the town administrator, shall supervise the fire department and is responsible for planning, organizing and directing an emergency organization specifically concerned with minimizing the loss of life and property caused by fire. This includes the planning, direction, and coordination of personnel engaged in firefighting, training, maintenance and repair of fire equipment, and station upkeep.

B. The fire chief shall have supervision of and shall see that all property connected with the fire department is at all times kept in repair and ready for instant service. The fire chief shall recommend such additions to, and alterations of the same, as he/she may deem necessary. The fire chief shall report to the town council as deemed necessary by the town administrator.

C. The fire hall shall be under the control of the town administrator. The fire apparatus shall be under the control of the fire chief and firefighting equipment shall be used for no other purpose than an emergency except as authorized by the fire chief. (Ord. 1108 § 7, 1999)

2.13.080 Firefighters – Volunteers.

Firefighters shall be composed of suitable persons voluntarily associating themselves with the fire department for such purposes. Membership of the volunteer fire department is limited and therefore shall not exceed 25 firefighters for each 1,000 population of the town or fraction thereof. (Ord. 1108 § 8, 1999)

2.13.090 Firefighters – Compensation.

The compensation for firefighters shall be set by ordinance at the time of adoption of the annual salary ordinance by the town council. (Ord. 1108 § 9, 1999)

department to be selected by the members thereof, for a term of one year effective as of July 1st each year. The mayor shall be chair of the board and the clerk of the board shall be the town clerk. (Ord. 1108 § 13, 1999)

2.13.100 Firefighters – Duties.

All firefighters upon the sounding of an alarm shall report for duty immediately and with all possible speed, as the fire chief shall designate. All firefighters shall be trained to handle any and all fire equipment. No one other than members of the fire department except by direction of the chief shall be permitted to ride on the fire apparatus, and no person shall in any way interfere with firefighters while on duty or a drill. No person shall use fire hydrants except members of the fire department, and employees of the maintenance departments as needed. (Ord. 1108 § 10, 1999)

2.13.110 Automatic and mutual aid response.

Equipment and volunteers shall be sent out of town on automatic and mutual aid calls at the discretion of the fire chief per signed aid agreements. Under no circumstances shall such fire apparatus and volunteers be dispatched outside of the town to such an extent as to deplete existing available equipment and volunteers to cause the town to be without adequate fire protection. (Ord. 1108 § 11, 1999)

2.13.120 Relief and Pension Act.

The town shall permit its active volunteer firefighters to participate in the Volunteer Firefighter’s Relief and Pension Act, as provided in Chapter 41.24 RCW. The town shall contribute \$30.00 per year per member toward the cost of such plan as well as the \$10.00 per year per member annual membership fee. (Ord. 1108 § 12, 1999)

2.13.130 Board of trustees.

As specified in Chapter 41.24 RCW there is hereby created a board of trustees consisting of the mayor, town clerk, one member of the council selected by the council, the chief of the fire department, and one member of the fire

Chapter 2.14

MUNICIPAL COURT

(Repealed by Ord. 1131)

Chapter 2.15

**JUDICIAL SERVICES –
INTERLOCAL AGREEMENT WITH
SAN JUAN COUNTY**

(Repealed by Ord. 1131)

Chapter 2.16

OFFICERS' BONDS

(Repealed by Ord. 1129)

Chapter 2.20

DECLARATIONS OF CANDIDACY

Sections:

2.20.010 System of caucuses abolished.

2.20.020 Names of candidates to appear on ballot.

2.20.010 System of caucuses abolished.

The system of town caucus and/or caucuses as a method of nominating candidates for elective municipal offices is abolished. (Ord. 367 § 1, 1969)

2.20.020 Names of candidates to appear on ballot.

From and after the effective date of the ordinance codified in this chapter, names of candidates for elective municipal offices shall appear upon the ballot as a result of the candidates filing declarations of candidacy for the respective offices and positions concerned in the form, place, and manner as provided by the applicable statutes contained in RCW Title 29, as they now exist or may hereafter be amended. (Ord. 367 § 3, 1969)

Chapter 2.24

PLANNING COMMISSION

Sections:

- 2.24.010 Purpose.
- 2.24.020 Commission.
- 2.24.030 Organization – Meetings.
- 2.24.040 Expenditures.
- 2.24.050 Powers and duties.
- 2.24.060 Public hearings.

2.24.010 Purpose.

The purpose of this chapter is to provide the town with a permanent advisory body to consider and recommend to the council such measures as will encourage generally advantageous development of the town. (Ord. 1162 § 1, 2001)

2.24.020 Commission.

A. The planning commission shall consist of seven members appointed by the mayor and confirmed by the town council.

B. Six of the seven planning commission members shall be residents and qualified voters of the town. Members shall be selected without respect to political affiliations. To the extent reasonably possible, membership on the commission should be balanced to provide representation to a variety of residence neighborhoods, occupations and similar classifications.

C. One of the seven planning commission members shall be a resident of San Juan Island and a qualified voter of San Juan County, but shall not be a resident of Friday Harbor.

D. Members shall be appointed to staggered six-year terms arranged so that a term expires each year except one in which two terms expire.

E. Members shall serve without compensation.

F. Vacancies occurring during a term of office shall be filled for the unexpired term. Members may be removed, after public hearing, by the mayor with approval of the council, for inefficiency, neglect of duty, misfeasance

or malfeasance in office. Unexcused absence from three consecutive meetings shall be grounds for removal. (Ord. 1162 § 2, 2001)

2.24.030 Organization – Meetings.

Pursuant to RCW 35.63.040, the commission shall organize itself, create its own offices and adopt rules for the transaction of its business. The commission shall hold at least one regular meeting in each month for not less than nine months in each year. The commission shall keep a written record of its meetings, resolutions, transactions, findings, and determinations, which record shall be a public record. (Ord. 1162 § 3, 2001)

2.24.040 Expenditures.

The commission is authorized to make such expenditures as may be required to accomplish its work, provided such expenditures are within the amounts appropriated for the purpose by the council. (Ord. 1162 § 4, 2001)

2.24.050 Powers and duties.

A. The commission shall act as the research and fact-finding agency of the town with respect to growth, development, and land use. To that end it may make surveys, analyses, researches and reports as may be appropriate and within available funds.

B. The commission shall have a continuing duty to review the town comprehensive plan, and any supplements or amendments thereto which have been or may be adopted. A formal review of the plan and its supplements, and recommendations to the council for changes, shall be made not less often than each five years from date of adoption.

C. The commission shall recommend adoption as appropriate of supplements to the comprehensive plan. Such supplements may include, without limitation, a traffic and transportation plan, a recreation plan, a shoreline management plan, a town beautification plan, a plan to meet special needs of a segment of the community, an economic development plan and a capital improvement plan.

D. The commission shall annually review the permanent and seasonal population projections, rates of land absorption, supply of avail-

able land, and housing supply for consistency with the comprehensive plan and to reflect trends in population growth and demand for public services.

E. The commission shall annually review the Port of Friday Harbor comprehensive plan for consistency with the town of Friday Harbor comprehensive plan and shall communicate the results of that analysis to the port commission and the town council.

F. The commission shall annually review the operating plan and average response time of the Friday Harbor fire department to determine if the level of service provided meets or exceeds the level of service stated in the comprehensive plan and shall communicate the results of that analysis to the fire chief and the town council.

G. The commission shall annually review the average response time of the emergency medical service to determine if the level of service provided meets or exceeds the level of service stated in the comprehensive plan and shall communicate the results of that analysis to the director of emergency medical services and the town council.

H. The commission shall annually review the staffing level of the San Juan County sheriff as applied to calls within the corporate boundary to determine if the level of service provided meets or exceeds the level of service stated in the comprehensive plan and shall communicate the results of that analysis to the sheriff and the town council.

I. The commission shall annually review the San Juan Island parks and recreation district comprehensive plan for consistency with the town of Friday Harbor comprehensive plan and shall communicate the results of that analysis to the San Juan Island parks and recreation commission and the town council.

J. The commission shall annually review the level of service and any operating or comprehensive plan prepared by the San Juan Island School District for consistency with the town of Friday Harbor comprehensive plan and shall communicate the results of that analysis to the San Juan Island School District school board and the town council.

K. Upon request of the town council, the commission shall review any plan, permit application, or other matter not otherwise enumerated in this chapter.

L. Upon completion of its review of any matter referred to it, the commission shall submit its recommendations, if any, together with copies of any research, studies, or findings related thereto, to the council. (Ord. 1162 § 5, 2001)

2.24.060 Public hearings.

A. The commission shall hold at least one public hearing to provide a basis for its recommendations in each of the following matters:

1. Any amendments to the comprehensive plan.

2. Any matter for which the town council specifically requests the commission to hold a public hearing.

B. When a public hearing is required, or authorized, the time and date shall be established in accordance with FHMC Title 20 as amended from time to time. (Ord. 1162 § 6, 2001)

Chapter 2.28

**HOLIDAYS, VACATION PAY, AND
SICK LEAVE FOR EMPLOYEES**

(Repealed by Ord. 1181)

Chapter 2.32

EMPLOYEES' RETIREMENT SYSTEM

Sections:

- 2.32.010 Authorization and approval.
- 2.32.020 Transmittal to Retirement Board.
- 2.32.030 Commencement of participation.

2.32.010 Authorization and approval.

The town council authorizes and approves the membership and participation of its eligible employees in the Washington Public Employees' Retirement System pursuant to RCW 41.40.410, and authorizes the expenditure of the necessary funds to cover its proportionate share for participation in the System. (Ord. 450 § 1, 1977)

2.32.020 Transmittal to Retirement Board.

The clerk is directed to transmit a certified copy of the ordinance codified in this chapter to the Retirement Board of said system as evidence of such authorization and approval. (Ord. 450 § 2, 1977)

2.32.030 Commencement of participation.

Participation membership in the Washington Public Employees' Retirement System shall commence January 1, 1978. (Ord. 450 § 3, 1977)

Chapter 2.36

**PAYROLL WARRANT
ISSUANCE PROCEDURE**

Sections:

2.36.010 Purpose.

2.36.020 Payroll procedure.

2.36.010 Purpose.

The purpose of this chapter is to establish a lawful procedure for the issuance of payroll warrants to employees prior to approval of the same by the town council. (Ord. 1130 § 1, 1999)

2.36.020 Payroll procedure.

A. Each department head shall collect, review and, in writing, verify all time sheets for employees within their respective departments. All verified time sheets shall then be delivered to the town clerk. For purposes of this chapter, the town administrator shall verify the time sheet of the town clerk and all department heads, the mayor shall verify the time sheet of the town administrator and the town clerk shall verify the attendance of council members at council meetings.

B. Upon receipt of verified time sheets, the town clerk shall deliver the same to the person responsible for preparation of the payroll summary and the individual payroll warrants. When the summary and warrants have been prepared, they shall be delivered to the town clerk, who, together with the mayor, shall review the same and, upon finding them to be consistent with the verified time sheets, shall sign the warrants.

C. Payroll warrants shall be delivered to the payee-employee on the first regular working day of each month by a designated staff member, who shall be other than the town clerk or mayor. The town clerk shall, at the same time, provide the town treasurer with a written journal entry for appropriate cash transfers to the payroll clearing fund.

D. At the next regularly scheduled public meeting of the council, the payroll summary shall be presented to the council for its review

and the council shall approve or disapprove the payroll warrants issued in accordance with said summary.

E. In the event any warrant issued shall not be approved by the council after its review in accordance herewith, the town clerk and the mayor shall jointly cause the disapproved warrant to be recognized as a receivable of the town and shall diligently pursue collection of the same until the council shall be satisfied and approve the warrant. (Ord. 1130 § 2, 1999)

Chapter 2.40

RETURNED CHECK COST RECOVERY

Sections:

- 2.40.010 Purpose.
- 2.40.020 Returned check charge.
- 2.40.030 Payment in lieu of check.

2.40.010 Purpose.

The purpose of this chapter is to recover costs resulting from returned checks. (Ord. 1128 § 1, 1999)

2.40.020 Returned check charge.

In the event any payment to the town of Friday Harbor in the form of a check is returned by any bank, a service charge of \$20.00 shall be added to the amount due for which the check was represented as payment. (Ord. 1128 § 2, 1999)

2.40.030 Payment in lieu of check.

In the event a check has been returned by any bank, payment for said returned check shall be made in cash or certified check. (Ord. 1128 § 3, 1999)

Chapter 2.50

REPORTING IMPROPER GOVERNMENTAL ACTION AND PROTECTING EMPLOYEES AGAINST RETALIATION

Sections:

- 2.50.010 Policy statement.
- 2.50.020 Definitions.
- 2.50.030 Procedures for reporting.
- 2.50.040 Protection against retaliatory actions.
- 2.50.050 Responsibilities.
- 2.50.060 Severability – Governing provisions.

2.50.010 Policy statement.

It is the policy of the town of Friday Harbor:

A. To encourage reporting by its employees of improper governmental action taken by town officers or employees,

B. To protect town employees who have reported improper actions in accordance with the town's policies and procedures. (Ord. 911 § 2, 1993)

2.50.020 Definitions.

As used in this policy, the following terms shall have the meanings indicated:

A. "Improper governmental action" means any action by a town officer or employee:

1. That is undertaken in the performance of the officer's or employee's official duties, whether or not the action is within the scope of the employee's employment; and

2. That (i) is in violation of any federal, state, or local law or rule; (ii) is an abuse of authority; (iii) is of substantial and specific danger to the public health or safety; or (iv) is a gross waste of public funds.

"Improper governmental action" does not include proper personnel actions, including employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployments, performance evaluations, reductions in pay, dismissals, suspensions, demotions, violations of collective bargaining

or civil service law, alleged violations of labor agreements or reprimands.

B. "Retaliatory action" means any adverse change in the terms and conditions of a town of Friday Harbor employee's employment.

C. "Emergency" means a circumstance that if not immediately changed may cause damage to persons or property.

D. "Employee" means any person appointed to any position with the town under any provision of the personnel ordinance of the town whether part-time or full-time, temporary or contract hire. (Ord. 911 § 3, 1993)

2.50.030 Procedures for reporting.

A. Town employees who become aware of improper governmental actions should raise the issue first with their supervisor. If requested by the supervisor, the employee shall submit a written report to the supervisor, or to some person designated by the supervisor, stating in detail the basis for the employee's belief that an improper governmental action has occurred. Where the employee reasonably believes the improper governmental action involves his or her supervisor, the employee may raise the issue directly with the town administrator or such other person as may be designated by the mayor to receive reports of improper governmental action.

B. In the case of an emergency, where the employee believes that damage to persons or property may result if action is not taken immediately, the employee may report the improper governmental action directly to the appropriate government agency with responsibility for investigating the improper action.

C. The supervisor, the town administrator, or the mayor's designee, as the case may be, shall take prompt action to assist the town in properly investigating the report of improper governmental action. Town officers and employees involved in the investigation shall keep the identity of reporting employees confidential to the extent reasonably possible under law, unless the employee authorizes the disclosure of his or her identity in writing. After an investigation has been completed, the employee reporting the improper governmen-

tal action shall be given a summary of the results of the investigation, except that personnel actions taken as a result of the investigation may be kept confidential.

D. Town employees may report information about improper governmental action directly to the appropriate government agency responsible for investigating the improper action if the employee reasonably believes that an adequate investigation was not undertaken by the town to determine whether an improper governmental action occurred, or that insufficient action has been taken by the town to address the improper governmental action or that for other reasons the improper governmental action is likely to recur.

E. Town employees who fail to make a good-faith attempt to follow the town of Friday Harbor's procedures in reporting improper governmental action shall not receive the protections provided by the town of Friday Harbor in these procedures. (Ord. 911 § 4, 1993)

2.50.040 Protection against retaliatory actions.

A. Town officials and employees are prohibited from taking retaliatory action against an employee because he or she has in good faith reported an improper governmental action in accordance with these policies and procedures.

B. Employees who believe that they have been retaliated against for reporting an improper governmental action should advise their supervisor, the town administrator, or the mayor's designee. Town officials and supervisors shall take appropriate action to investigate and address complaints of retaliation.

C. If the employee's supervisor, the town administrator, or the mayor's designee, as the case may be, does not satisfactorily resolve an employee's complaint that he or she has been retaliated against in violation of this policy, the employee may obtain protection under this policy and pursuant to state law by providing a written notice to the town council that:

1. Specifies the alleged retaliatory action; and
2. Specifies the relief requested.

D. Town employees shall provide a copy of their written charge to the town administrator no later than 30 days after the occurrence of the alleged retaliatory action. The town shall respond within 30 days to the charge of retaliatory action.

E. After receiving either the response of the town or 30 days after the delivery of the charge to the town, the employee may request a hearing before a state administrative law judge to establish that a retaliatory action occurred and to obtain appropriate relief provided by law. An employee seeking a hearing should deliver the request for hearing to the town administrator within the earlier 15 days of delivery of the town's response to the charge of retaliator action, or 45 days of delivery of the charge of retaliation to the town for response.

F. Upon receipt of request for hearing, the town shall apply within five working days to the State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge or make arrangements for appointment of a private professional quasi-judicial hearings officer. The town will consider any recommendation provided by the hearings officer that the retaliatory individual be suspended with or without pay, or dismissed. (Ord. 911 § 5, 1993)

2.50.050 Responsibilities.

A. The town administrator is responsible for implementing the town of Friday Harbor's policies and procedures:

1. For reporting improper governmental action; and
2. For protecting employees against retaliatory action.

B. This includes ensuring that this policy and these procedures:

1. Are permanently posted where all employees will have reasonable access to them;
2. Are made available to any employee upon request; and
3. Are provided to all newly-hired employees.

C. Officers, managers, and supervisors are responsible for ensuring the procedures are fully implemented within their areas of re-

sponsibility. Violations of this policy and these procedures may result in appropriate disciplinary action, up to and including dismissal. (Ord. 911 § 6, 1993)

2.50.060 Severability – Governing provisions.

If any part or portion of this chapter is declared invalid for any reason, such declaration of invalidity shall not affect any remaining part or portions. Nothing in this chapter shall supersede or replace any provisions related to personnel action, including actions that may be taken under applicable civil service regulation. (Ord. 911 § 7, 1993)

Chapter 2.54

EQUAL EMPLOYMENT OPPORTUNITY

Sections:

- 2.54.010 Policy.
- 2.54.020 Mayor to oversee policy.
- 2.54.030 Penalty for violations.
- 2.54.040 Cooperation with human rights organizations.
- 2.54.050 Posting of policy.

2.54.010 Policy.

It is the policy of the town to treat all applicants and employees equally and without regard to race, creed, religion, color, national origin, sex, age, the presence of a physical, mental or sensory disability, marital or veteran status, or any other basis that is required by local, state or federal law. It is also the policy of the town to foster and maintain a harmonious nondiscriminatory working environment for all officers and employees. Toward this end, the town will not tolerate racial, ethnic, religious or sexual slurs or comments demeaning national origin or the disabled, or any form of sexual harassment, by or about any officer, employee, applicant or the public. (Ord. 1003 § 1, 1996)

2.54.020 Mayor to oversee policy.

The mayor or the mayor's designee shall oversee the town's equal employment opportunity and nondiscrimination policy. Any officer, employee or applicant who is subjected to discriminatory treatment in violation of this policy should bring the matter to the attention of the appropriate department head, who shall report the matter directly to the mayor. (Ord. 1003 § 1, 1996)

2.54.030 Penalty for violations.

Any officer or employee violating or failing to comply with the policies set forth in this chapter may be subject to disciplinary action including, but not limited to, termination from employment and/or temporary suspension with loss of pay up to and including 30 days. (Ord. 1003 § 1, 1996)

2.54.040 Cooperation with human rights organizations.

The town shall cooperate to the fullest extent possible with governmental organizations and commissions concerned with nondiscrimination and equal employment opportunity. (Ord. 1003 § 1, 1996)

2.54.050 Posting of policy.

Copies of the policies set forth in this chapter shall be distributed to all town officers and employees, shall appear in all operational documents of the town, including bid calls, and shall be permanently displayed in all town facilities. (Ord. 1003 § 1, 1996)

Chapter 2.58

HISTORIC PRESERVATION REVIEW BOARD

Sections:

- 2.58.010 Purpose.
- 2.58.020 Board.
- 2.58.030 Terms and qualifications.
- 2.58.040 Organization.
- 2.58.050 Powers and duties.
- 2.58.060 Limitation of authority.
- 2.58.070 Staff assistance.

2.58.010 Purpose.

The purpose of this chapter is to revise the membership and duties of the historic preservation review board which will provide the town with an advisory body to consider and recommend to the council such measures as will encourage and foster preservation of historic structures, sites, or districts. (Ord. 1223 § 1, 2003)

2.58.020 Board.

An historic preservation review board is hereby created. The historic preservation review board shall consist of five members, with at least one member being a resident of the town of Friday Harbor. (Ord. 1223 § 2, 2003)

2.58.030 Terms and qualifications.

Members of the historic preservation review board shall serve terms of two years. The terms shall be staggered. Members of the historic preservation review board shall be appointed by the mayor and confirmed by the town council. The mayor shall appoint members with qualifications, skills or demonstrated interest in one or more of the following categories:

- A. Architectural historian.
- B. Landscape designer.
- C. Builder/contractor.
- D. Member of the San Juan Island Historical Society.

Members shall serve without compensation, and vacancies occurring during a term of office shall be filled for the unexpired term. Members may be removed, by the mayor, with

approval of the council, for inefficiency, neglect of duty, misfeasance or malfeasance in office. Unexcused absence from three consecutive meetings shall be grounds for removal. (Ord. 1223 § 3, 2003)

2.58.040 Organization.

The historic preservation review board shall be organized as follows:

A. Chairman. The board shall elect one of its members to serve as chairman for a term of one year.

B. Quorum. No business shall be conducted without a quorum at the meeting. A quorum shall exist when a majority of the members, including the chairman, are present.

C. Voting. All actions of the board shall be represented by a vote of the membership. A simple majority of the members present at the meeting in which action is taken shall approve any action taken. The chairman may vote at the meetings. (Ord. 1223 § 4, 2003)

2.58.050 Powers and duties.

A. To create and maintain an historic preservation technical manual and recommend the same to the planning commission and the council for adoption as revised from time to time.

B. To implement a review process to protect affected parcels and districts.

C. To assist property owners, upon request, in complying with the intents and purposes of the historic preservation element of the comprehensive plan.

D. To advise the council on incentives to encourage preservation of existing inventoried structures or sites.

E. To advise the council on changes to the Friday Harbor Municipal Code, building code and related technical manuals that foster preservation of historic structures, sites, or districts. (Ord. 1223 § 5, 2003)

2.58.060 Limitation of authority.

The historic preservation review board shall have no authority to approve or disapprove development permits. The historic preservation review boards function is advisory only. (Ord. 1223 § 6, 2003)

2.58.070 Staff assistance.

The planning staff shall provide the historic preservation review board with such assistance as is reasonably necessary to enable it to perform its functions and duties. Staff assistance shall include, but not be limited to, staff reports, research, general planning, and instruction. (Ord. 1223 § 7, 2003)

Chapter 2.62**EMERGENCY MANAGEMENT SERVICES**

Sections:

- 2.62.010 Joint local organization.
- 2.62.020 Emergency management council.
- 2.62.030 Emergency services department.
- 2.62.040 Director of emergency services department.
- 2.62.050 Emergency management fund.
- 2.62.060 Emergency management budget.
- 2.62.070 Conditions and declarations.
- 2.62.080 Local hazardous chemical emergency response planning committee.

2.62.010 Joint local organization.

Upon adoption of an essentially identical ordinance by the board of county commissioners for San Juan County, and upon authorization by the State Director, as defined in RCW 38.52.010(9), a joint local organization for emergency management services shall exist, to consist of a management council and an operational department. (Ord. 1097 § 1, 1998)

2.62.020 Emergency management council.

The mayor of Friday Harbor and the chairperson of the board of county commissioners shall constitute the San Juan County-Town of Friday Harbor emergency management council (hereinafter "the council"). The council shall be responsible for supervising and controlling the director of the emergency services department created hereunder. The members of the council shall meet not less than one time each year, on a date agreed to by the members. (Ord. 1097 § 2, 1998)

2.62.030 Emergency services department.

Emergency management services for San Juan County and the town of Friday Harbor shall be provided by the San Juan County-Town of Friday Harbor emergency services department (hereinafter "department"). All employees of the department shall be employ-

ees of San Juan County, which shall exercise such legislative authority as may be needed for that purpose. (Ord. 1097 § 3, 1998)

2.62.040 Director of emergency services department.

A. A director of the emergency services department shall be appointed by and responsible to the council. He or she shall have direct responsibility for the organization, administration and operation of the department. The director shall, among other things:

1. Prepare a comprehensive emergency operations plan and program in accordance with the provisions of Chapter 118-07 WAC;
2. Submit a periodic program paper to the State Director in accordance with the provisions of Chapter 118-08 WAC;
3. Seek emergency management assistance funds from the State Director in accordance with the provisions of Chapter 118-09 WAC;
4. Manage the emergency services department for the county and town; and
5. Represent the emergency services department in all dealings with the public and all public and private agencies.

B. In the event a disaster is declared under FHMC 2.62.070, the director or his or her designee is empowered to:

1. Make and issue rules and regulations reasonably related to the protection of life and property as affected by such disaster; provided, that the rules and regulations must be confirmed by the emergency maintenance council at the earliest practical time;
2. Obtain vital supplies, equipment and other such properties needed for the protection of life and property, and to bind the county for fair value thereof;
3. Request emergency service of any county or town officer or employee, and to secure the aid of volunteers as needed; and
4. Requisition necessary personnel or material of any county or town department or agency. (Ord. 1097 § 4, 1998)

2.62.050 Emergency management fund.

A special pool of funds, to be administered through the San Juan County treasurer, is hereby established, to be known as the San Juan County-Friday Harbor emergency management fund. All funds budgeted by the county and the town for operation of the department shall be deposited in said fund and from it shall be paid all expenses of the department, in accordance with the provisions of Chapter 36.22 RCW. (Ord. 1097 § 5, 1998)

2.62.060 Emergency management budget.

The budget for the department shall be set by the emergency management council at its annual meeting. The county and the town shall contribute funds on a fair and equitable basis, as determined by the council, with approval from the legislative bodies of the town and the county. In the event that an equitable sharing of expenses cannot be agreed upon, the Washington State Emergency Management Council shall decide upon the division of costs, in accordance with RCW 38.52.070(1). (Ord. 1097 § 6, 1998)

2.62.070 Conditions and declarations.

Routine emergencies, such as house fires and traffic accidents, shall be handled by the appropriate agency of the town, county or other taxing district. Mutual aid agreements may authorize a cooperative response from agencies of both the town and county or some other taxing district.

When an emergency is beyond the capability of the appropriate response agencies, including those with mutual aid agreements, a formal declaration of a disaster may be declared.

A declaration of disaster shall be the responsibility of the members of the emergency management council. A county-wide disaster may be declared by both members of the council or by the chair of the board of county commissioners alone. If the mayor joins in the declaration, or subsequently ratifies the declaration, it shall be effective within the town of Friday Harbor. A disaster which is confined within the town may be declared by the mayor, with or without the agreement or participation of

the chair of the board of county commissioners. Before making a declaration, the chair of the board of county commissioners shall make a good faith effort to contact the remainder of the board of county commissioners for discussion.

In the event the chair is not available to discuss with the mayor the need for a declaration, the mayor shall make a good faith effort to contact both of the other commissioners, who, if contacted, shall designate one of themselves to be the acting member of the council until the chair is contacted. If the mayor is able to contact only one other commissioner, that commissioner shall be the acting member. In the event the mayor can not contact any member of the board of county commissioners, the mayor may declare a county-wide emergency.

In the event that neither the mayor nor any of the county commissioners is available, the director of emergency services may declare a disaster, subject to after-the-fact approval of the emergency management council. (Ord. 1097 § 7, 1998)

2.62.080 Local hazardous chemical emergency response planning committee.

A committee, to be known as the local emergency planning committee (hereinafter “the committee”), is hereby created for the purpose of providing local planning for hazardous materials emergency response, in accordance with Chapter 118-40 WAC, and planning for other emergencies or disasters. The director of the emergency services department shall serve as the chair of the committee. The committee shall be composed of individuals appointed by the emergency management council. The committee shall include a representative of each of the following groups, in accordance with WAC 118-40-160:

- A. Town of Friday Harbor;
- B. San Juan County;
- C. San Juan County sheriff;
- D. Department of emergency services;
- E. Fire departments, town and district;
- F. Public hospital district;
- G. Emergency medical services;
- H. Health department;

- I. Local environmental groups;
 - J. Local newspapers;
 - K. Community groups;
 - L. Local businesses;
- and in addition shall include:
- A. Lopez member-at-large;
 - B. Orcas member-at-large;
 - C. San Juan member-at-large;
 - D. County public works;
 - E. Telephone utility;
 - F. Opalco;
 - G. Transportation. (Ord. 1097 § 8, 1998)

Chapter 2.66**LODGING TAX ADVISORY
COMMITTEE**

Sections:

- 2.66.010 Committee created.
- 2.66.020 Appointment, terms and qualifications.
- 2.66.030 Organization.
- 2.66.040 Powers and duties.
- 2.66.050 Staff assistance.

2.66.010 Committee created.

A lodging tax advisory committee is hereby re-established. The committee shall consist of seven members, two of whom shall be members of the town council. (Ord. 1287 § 1, 2005; Ord. 1170 § 1, 2001)

2.66.020 Appointment, terms and qualifications.

Members of the lodging tax advisory committee shall be appointed by the council and shall serve indefinite terms at the will of the council. Members other than the two councilpersons shall be owners or employees of businesses which are obligated to collect the additional two percent excise tax. (Ord. 1287 § 2, 2005; Ord. 1170 § 2, 2001)

2.66.030 Organization.

The lodging tax advisory committee shall be organized as follows:

A. Chairperson. One of the councilpersons appointed to the committee shall be elected by the members of the committee to serve as chairperson.

B. Quorum. No business shall be conducted without a quorum at the meeting. A quorum shall exist when a majority of the members, including at least one councilperson, are present.

C. Voting. All actions of the committee shall be accomplished by a vote of the membership. A simple majority of the members present at the meeting in which action is taken shall be necessary to approve any action taken.

The chairperson is entitled to vote on all matters. (Ord. 1287 § 3, 2005; Ord. 1170 § 3, 2001)

2.66.040 Powers and duties.

The committee's sole function shall be to advise the town council on ways to expend the additional two percent excise tax funds received by the town.

The lodging tax advisory committee shall have no authority to approve or disapprove the expenditure of funds received by the town as a result of the additional two percent excise tax. (Ord. 1287 § 4, 2005; Ord. 1170 § 4, 2001)

2.66.050 Staff assistance.

The planning staff shall provide the lodging tax advisory committee with such assistance as is reasonably necessary to enable it to perform its functions and duties. Staff assistance shall include, but not be limited to, staff reports, research, general planning, and instruction. (Ord. 1287 § 5, 2005; Ord. 1170 § 5, 2001)