

ORDINANCE NO. 6444

AN ORDINANCE relating to the Board of Appeals and Equalization, establishing policy concerning composition, powers compensation and administrative support; amending Ordinance 1438, Section 3(e) and K.C.C. 2.16.090; repealing Ordinances 260, 509, 629, 909, 952, 1845, 2175, 2292, 2518, 3156, 5133, 6385, and K.C.C. 2.32.070 and K.C.C. 2.32.100.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Establishment.

A. There is established a King County Board of Appeals as provided for in Article 7 of the King County Charter. Additionally, the functions of the county council in its capacity as a board of equalization are hereby vested in the board of appeals which shall be formally designated as the King County Board of Appeals and Equalization, and which shall be referred to hereafter in this ordinance as "the board".

B. The chair of the board shall be responsible to the King County Council for the efficient management and administration of the board and its resources.

SECTION 2. Composition.

A. In conformance with Section 710 of the charter, the board shall be composed of seven members appointed by the county executive subject to confirmation by a majority of the county council.

B. The term of office shall be for four years, and shall be staggered as follows: two terms shall commence each year except that every fourth year commencing in 1986 only one term shall commence. Board members shall fill the term to which appointed or that portion remaining of an unexpired term. A member whose term has expired shall continue to serve until a successor has been appointed. Terms shall commence on July 1st.

1 C. Removal of a member of the board, except upon expiration
2 of his appointed term, shall be only as provided for in Section
3 710 of the charter.

4 D. The members of the board shall meet and choose a
5 chairman annually to serve from July 1st to June 30th of the
6 following year.

7 E. A majority of the board shall constitute a quorum in
8 matters of equalization, however five members shall constitute a
9 quorum in matters of appeal from executive orders and
10 regulations.

11 SECTION 3. Powers. The board shall hear and decide all
12 appeals from any valuation in property by the department of
13 assessments, examine other matters related to assessment of the
14 property of the county as provided by general law and hear
15 appeals from any other orders by an executive department or
16 administrative office as provided for by ordinance.

17 A. Appeals on Property Taxes and Valuations

18 1. In conformity with the provisions of RCW 84.48.010
19 through 84.48.046 relating to the equalization of assessments,
20 and in addition to those powers relating to valuation provided
21 for in Section 720, of the King County Charter, the board shall
22 hear and decide all appeals and such other matters specified by:

23 a. RCW 84.56.390, RCW 84.56.400 relating to the
24 treasurer's record of false or erroneous listings;

25 b. RCW 84.52.090 relating to the assessor's record of
26 errors in descriptions, double assessments or manifest errors in
27 assessment.

28 2. The board may grant a change of venue to a board of
29 equalization of another county, or may receive a request for a
30 change of venue from a granting county, under the following
31 circumstances:
32
33

1 a. When a quorum cannot be achieved due to members of
2 the board disqualifying themselves because of conflicts of
3 interest or because of the appearance of fairness doctrine;

4 b. When equalization is the basis for an appeal by a
5 member of the board of appeals, assistants to the board, or any
6 member of the county governmental authority on his or her own
7 property or on any property in which that person has an interest,

8 PROVIDED that:

9 The county legislative authority of both the granting and
10 receiving county have adopted an ordinance providing for or
11 permitting such change of venue; and both counties have entered
12 into an agreement as to where the hearing shall be heard,
13 reimbursement of costs, and other issues necessary to facilitate
14 the change of venue. The decision of the receiving board shall
15 be transmitted to the granting board who shall issue an order
16 without prejudice.

17 3. Decisions of the King County Assessor in tax payer
18 claims for relief of taxes and assessments on real or personal
19 property that has been destroyed as provided for in RCW
20 36.21.080 and RCW Ch. 84.70 shall, in the event the taxpayer
21 wishes to appeal be first appealed to the board of appeals and
22 equalization; provided, that the decision of the board may be
23 further appealed to the King County Council. The decision of
24 the council shall be final.

25 B. Appeals on Orders or Regulations of Executive
26 Departments and Administrative Offices. The board shall hear
27 and decide all appeals resulting from:

28 1. The granting, denial, suspension or revocation of
29 business licenses or anchorage and mooring permits.

30 2. Grievances related to actions of the director of the
31 animal control authority pursuant to K.C.C. 11.04.

32 3. Other orders or regulations as required by ordinance.
33

1 SECTION 4. Administrative Support.

2 A. The board shall appoint a clerk of the board as provided
3 by state law. The clerk, or his designee, shall attend all
4 sessions of the board and shall keep the official record
5 thereof. The clerk shall also be responsible for managing the
6 administrative staff support of the board. Neither the county
7 assessor, director of any executive agency whose orders and
8 regulations are subject to appeal before the board, nor any
9 member of said agencies' staffs may serve as the clerk.

10 B. With the approval of the board and within budgetary
11 constraints, the clerk may appoint, such assistants and
12 employees as the board deems necessary for aiding the board in
13 carrying out its functions. The clerk and such assistants and
14 employees shall, in accordance with state law, serve at the
15 pleasure of the board and are thus exempt from career service.
16 As exempt county employees, the clerk and such assistants and
17 employees shall comply with the same work related regulations as
18 are applicable to exempt employees of the legislative branch of
19 county government.

20 C. The board may, subject to budgetary constraints, hire on
21 a per-diem basis one or more hearing examiners who shall be
22 selected for their knowledge of the values of property in the
23 county and shall subscribe to the same oath as board members.

24 D. Effective July 1, 1983, the Executive shall establish a
25 board of appeals and equalization operating account within the
26 current expense fund, and transfer to the account such funds as
27 have been appropriated and budgeted within the General Services
28 Division account for the operation of the board. Subsequently,
29 the board shall submit each year to the county council for
30 approval a proposed budget for the following year in the manner
31 provided by law for the preparation and submission of budgets by
32 appointive officials.
33

1 SECTION 5. Compensation.

2 A. For time devoted to the official work of the board, each
3 member thereof shall receive a per diem allowance of
4 seventy-five dollars; provided, that a per diem allowance of
5 thirty-five dollars shall be paid for official board work of
6 four hours or less. Effective January 1, 1984, the per diem
7 allowance shall be increased to one hundred dollars except that
8 a per diem allowance of sixty dollars shall be paid for official
9 board work of four hours or less.

10 B. For time devoted to the official work of the board, each
11 hearing examiner employed by the board shall receive a per diem
12 allowance of seventy dollars; provided, that a per diem
13 allowance of forty-two dollars shall be paid for official
14 examiner work of four hours or less.

15 C. For time devoted to the official work of the board in
16 cases where due to a change of venue, the appeal is heard by the
17 members of a board of equalization of another county (the
18 receiving county) as provided for in Section 2, each member of
19 the board hearing the appeal shall receive the normal per diem
20 allowance authorized by ordinance enacted by the legislative
21 authority of the receiving county and a travel allowance based
22 on mileage from the receiving county seat to the granting county
23 seat, not to exceed mileage rates authorized within the state by
24 general law.

25 D. Members of the board assigned parking stalls shall pay
26 parking fees as provided for in KCC 3.32 unless exempted from
27 payment by ordinance.

28 SECTION 6. Conflict of Interest. Members of the board and
29 all employees assigned to the board shall be governed by the
30 employee code of ethics as provided in Title 3, K.C.C. All
31 persons deemed to have a conflict of interest and wishing to
32
33

1 appeal to the board on matters of equalization shall be governed
2 by the appeals procedure provided in the code of ethics and as
3 herein provided in this ordinance.

4 SECTION 7. Ordinance 1438, Section 3(e) as amended, and
5 K.C.C. 2.16.090 are hereby amended as follows.

6 DEPARTMENT OF EXECUTIVE ADMINISTRATION - DIVISION - DUTIES.
7 The Department of Executive Administration is a staff department
8 primarily responsible for providing administrative as well as
9 management support to other agencies of county government and
10 for the management and coordination of the county's Affirmative
11 Action program and the centralized purchasing process for
12 materials and services purchased by the county. Unless
13 specifically provided otherwise, references ((elsewhere in the
14 King-County-Code)) to the County Administration Officer (CAO),
15 except as used in the King County Charter, shall mean the
16 Director, Department of Executive Administration. The
17 department is responsible to manage and be fiscally accountable
18 for the following divisions:

19 A. PERSONNEL DIVISION. The functions of the division
20 include:

21 1. Manage and administer an effective personnel system
22 for the county and provide professional personnel services and
23 support to employees, county agencies and, as appropriate,
24 residents of the county.

25 2. Negotiate collective bargaining agreements with
26 appropriate labor organizations for approval by the Council.

27 3. Represent county interests in the grievance process
28 including formal hearings before the Personnel Board.

29 4. Serve as staff support, when appropriate, to other
30 public agencies in recommending and performing personnel
31 administrative functions related to non-career service employees.
32
33

1 5. Manage the county's participation in the Work Study
2 Program and other temporary or part-time employment programs.

3 6. Manage the County's Safety and Worker's Compensation
4 Program.

5 B. SYSTEM SERVICES DIVISION. The functions of the division
6 include:

7 1. Operate, maintain and enhance automated data
8 processing systems for the county and other contracting agencies.

9 2. Plan, design, implement and manage new systems
10 development based on demonstrated need and cost effectiveness
11 under the general policy direction of the Data Processing Policy
12 Review Committee.

13 C. REAL PROPERTY DIVISION. The functions of the division
14 include:

15 1. Manage all real property owned or leased by the county
16 ensuring, where applicable, that properties generate revenues
17 closely approximating fair market value.

18 2. Maintain a current inventory of all county owned or
19 leased real property as part of the program to sell properties
20 deemed surplus to the needs of the county.

21 3. Provide support services to county agencies in the
22 acquisition of needed real properties.

23 4. Issue house moving and utility permits, and television
24 cable franchises.

25 D. RECORDS AND ELECTIONS DIVISION. The functions of the
26 division include:

27 1. Conduct all special and general elections held in the
28 county and register voters.

29 2. Manage the recording, processing, filing, storing,
30 retrieval, certification of copies as required, of all public
31 documents filed with the division.

1 3. Process all real estate tax affidavits.

2 4. Act as the official custodian of all county records,
3 per general law.

4 E. GENERAL SERVICES DIVISION. The functions of the
5 division include:

6 1. Issue business, marriage and motor vehicle licenses,
7 and collect license fee revenues.

8 2. Enforce county and state law relating to animal
9 control.

10 3. Manage the county's centralized reproduction center.

11 4. (~~Provide staff support to the Board of Appeals/-~~
12 ~~Equalization.~~

13 5.)) Manage the program of printing and distributing the
14 King County Code and all supplements to the public.

15 F. FACILITIES MANAGEMENT DIVISION. The functions of the
16 division include:

17 1. Administer and maintain in good general condition the
18 county's physical facilities, unless specific facilities'
19 maintenance is the functional responsibility of other county
20 agencies.

21 2. Effective January 1, 1983, perform project management
22 of all above-grade facilities capital improvement projects, not
23 to include park projects, which shall include responsibility for:

24 a. Contract administration;

25 b. Acting as the county's representative during design
26 and construction,

27 c. Providing advisory services and/or feasibility
28 studies to such projects as approved by the department director,

29 d. Project budget management of approved projects,

30 e. Necessary coordination with involved agencies to
31 facilitate the completion of approved projects.

32

33

1 3. Maintain, control, and be accountable for the
2 inventory of all King County personal property, disposing of
3 surplus property, per general law.

4 4. Operate the security program for the courthouse
5 complex.

6 5. Operate courthouse switchboard and information desk.

7 6. Provide messenger service for county government
8 agencies.

9 7. Effective January 1, 1983, provide staff support to
10 the King County Design Commission to consist primarily of
11 preparing meeting agenda and recording proceedings of the
12 commission meetings.

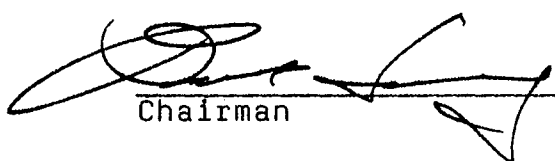
13 SECTION 8. Ordinances 260, 509, 629, 909, 952, 845, 2175,
14 2292, 2518, 3156, 5133, 6385, and K.C.C. 2.32.070 and 2.32.100
15 are hereby repealed.

16 SECTION 9. Severability. Should any section, subsection,
17 paragraph, sentence clause or phrase of this ordinance be
18 declared unconstitutional or invalid for any reason, such
19 decision shall not affect the validity of the remaining portions
20 of this ordinance.

21 INTRODUCED AND READ for the first time this 6th day
22 of June, 1983.

23 PASSED this 20th day of June, 1983.

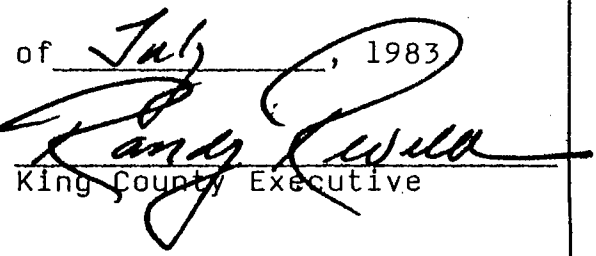
24 KING COUNTY COUNCIL
25 KING COUNTY, WASHINGTON

26 
27 Chairman

28 ATTEST:

29 
30 Clerk of the Council

31 APPROVED this 1st day of July, 1983

32 
33 King County Executive