



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Ordinance 19952

Proposed No. 2025-0185.1

Sponsors Zahilay

1 AN ORDINANCE relating to appointing qualified persons
2 to serve as examiners pro tempore; amending Ordinance
3 263, Article 5, Section 2, as amended, and K.C.C.
4 20.22020, establishing an expiration date, and declaring an
5 emergency.

6 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

7 **SECTION 1. Findings:**

8 A. Section 896 of the King County Charter requires that the council shall an
9 opportunity for an administrative appeal to a hearing examiner or other body for appeals
10 from the granting or rejecting of an application for zoning variance or conditional use
11 permit.

12 B. The office of hearing examiner was originally established by the county
13 council in 1969 to fulfill the charter-based function. Over the years, the council has
14 expansively broadened the hearing examiner's role to act on behalf of the council in
15 considering and applying county policies and regulations. Under K.C.C. 20.22.040, the
16 hearing examiner hears appeals from a variety of department decisions, as well as under
17 K.C.C. 20.22.050 makes recommendations to the council on various matters.

18 C. To efficiently process the variety of matters that now come before the hearing
19 examiner, K.C.C. 20.22.020 empowers the hearing examiner, or the deputy hearing
20 examiner in the event of the absence or inability of the hearing examiner to act, to

Ordinance 19952

21 appoint hearing examiners pro tempore. Over the years, the hearing examiner has
 22 appointed several examiners pro tempore, some serving for just one matter, some serving
 23 for a matters that arise in a particular area, such as land use.

24 C. With the positions of hearing examiner and deputy hearing examiner currently
 25 vacant, additional hearing examiners pro tempore are urgently needed to process the
 26 current and expected hearings.

27 D. Without the council's ability to appoint examiners pro tempore under these
 28 unique circumstances, hearings will be delayed, timelines will be missed, and the rights
 29 of residents to expeditious determination will be compromised, leading to unintended
 30 consequences and risks to the county.

31 E. This ordinance is necessary to authorize the council to appoint examiners pro
 32 tempore only under the unique circumstances currently present, which will support the
 33 ongoing operations of the office of hearing examiner and preserve the of public peace,
 34 health or safety for all the residents of the county.

35 SECTION 2. Ordinance 263 Article 5, Section 2, as amended, and K.C.C.
 36 20.22.020 are each hereby amend to read as follows:

37 A. The office of hearing examiner is created and shall act on behalf of the council
 38 in considering and applying adopted county policies and regulations. The examiner shall
 39 separate the application of regulatory controls from the legislative planning process,
 40 protect, and promote the public and private interests of the community, and expand the
 41 principles of fairness, due process, openness, and equity in public hearings.

42 B.1. The council shall appoint the hearing examiner to serve for a term of four
 43 years.

Ordinance 19952

2. The council may authorize the hearing examiner to hire a deputy examiner to assist the hearing examiner with the powers and duties described in subsection D. of this section.

3. The council may authorize the hearing examiner to create a roster of qualified persons to serve as examiner pro tempore, with the powers and duties described in subsection E. of this section.

C. Examiners shall be appointed solely based on their qualifications for the duties of their offices and shall have such training or experience as will qualify them to conduct administrative or quasi-judicial hearings on regulatory enactments and to discharge their other functions. They shall not hold another appointive or elective public office or position in county government except as authorized by the council by motion.

D. A deputy examiner shall assist the hearing examiner in performing the duties conferred upon the hearing examiner by ordinance and, in the event of the absence or the inability of the hearing examiner to act, has all the duties and powers of the hearing examiner.

E. The hearing examiner may appoint an examiner pro tempore to a case from the roster created in accordance with subsection B.3. of this section. Once appointed to a case, an examiner pro tempore has the same duties and powers as the hearing examiner.

F. The hearing examiner may be removed from office for just cause at any time by the affirmative vote of at least six members of the council.

G. Individual councilmembers, county officials, or any other persons, shall not interfere with, or attempt to interfere with, the performance of the designated duties of the examiner.

Ordinance 19952

67 H. Notwithstanding any other provision in this section, in the event of a vacancy
68 in the hearing examiner and deputy hearing examiner positions, the council may appoint
69 by motion qualified persons to serve as examiners pro tempore with the powers and
70 duties described in the motion.

71 SECTION 3. The county council finds as a fact and declares that an emergency
72 exists and that this ordinance is necessary for the immediate preservation of public peace,
73 health or safety or for the support of county government and its existing public

Ordinance 19952

74 institutions.

75 SECTION 4. This ordinance expires January 1, 2026.

Ordinance 19952 was introduced on 7/1/2025 and passed by the Metropolitan King County Council on 7/1/2025, by the following vote:

Yes: 8 - Balducci, Barón, Dembowski, Dunn, Mosqueda, Quinn,
von Reichbauer and Zahilay

Excused: 1 - Perry

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Signed by:

Girmay Zahilay

1AEA3C5077F8485...

Girmay Zahilay, Chair

ATTEST:

DocuSigned by:

Melani Hay

8DE1BB375AD3422...

Melani Hay, Clerk of the Council

Attachments: None

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Melani Hay

melani.hay@kingcounty.gov

Clerk of the Council

King County Council

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Signing Complete	Security Checked	7/3/2025 7:09:16 AM
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