

October 28, 1993
TAXADV.ORD (clt)

Introduced by:

Proposed No.:

93-812

ORDINANCE NO.

11107

AN ORDINANCE assigning responsibility for advising property tax payers to the Office of Citizen Complaints, amending Ordinance 473, Sections 1, 2, 4, 8, 9, 11 and 18, Ordinance 5869, Section 4, and K.C.C. 2.52.010, 2.52.020, 2.52.030, 2.52.040, 2.52.080, 2.52.090, 2.52.110 and 2.52.170, *repealing*

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 6833, Sections 2-4 and K.C.C.

2.54.010-.030 are hereby repealed.

SECTION 2. Ordinance 473, Section 1, as amended, and K.C.C.. 2.52.010 are hereby amended to read as follows:

Definitions. As used in this chapter, the term: A.

"Administrative agency" means any department, office or other governmental unit, or any employee of King County acting or purporting to act by reason of a connection with the county; but "administrative agency" does not include:

1. any court or judge or appurtenant judicial staff,
2. the members or staffs of the county council,
3. the King County executive or his respective personal staff,
4. the county prosecuting attorney or his staff. For purposes of this chapter "administrative agency" shall specifically include the Board of Equalization/Appeals.

B. "Administrative act" includes every action (such as decisions, omissions, recommendations, practices, or procedures) of an administrative agency.

SECTION 3. Ordinance 473, Section 2, as amended, and K.C.C. 2.52.020 are hereby amended to read as follows:

Establishment of office. The King County office of citizen complaints/tax advisor is established.

SECTION 4. Ordinance 5869, Section 4 and K.C.C. 2.52.030 are hereby amended to read as follows:

1 Appointment of director. The director of the office of
2 citizen complaints/tax advisor shall be appointed by a majority
3 of the members of the county council.

4 SECTION 5. Ordinance 473, Section 4, as amended, and
5 K.C.C. 2.52.040 are hereby amended to read as follows:

6 Qualifications. The director shall be a registered voter
7 of the United States, shall hold a degree from an accredited
8 college or its equivalent in service to government, shall have
9 a working knowledge of legal and administrative procedures, and
10 shall have experience, and/or knowledge in local government
11 commensurate to the powers of the office. During the term of
12 which he is appointed, he shall be ineligible to hold any other
13 public office of employment. He shall not be a candidate for
14 any public office for a period of two years following the
15 completion of his term as director of the King County office of
16 citizen complaints/tax advisor. The director shall not be
17 included in the classified civil or career service of the
18 county.

19 SECTION 6. Ordinance 473, Section 8, as amended, and
20 K.C.C. 2.52.080 are hereby amended to read as follows:

21 A. The director shall with concurrence of the council,
22 appoint a tax advisor. The tax advisor shall not be included
23 in the classified civil or career service of the county.

24 ((A-)) B. The director may with concurrence of the
25 council select, appoint, and compensate, within the amount
26 available or budgeted by appropriation, such other assistants
27 and employees as he may deem necessary to discharge his
28 responsibilities under this chapter. Such assistants and
29 employees shall not be included in the classified civil or
30 career service of the county.

31 ((B-)) C. The director may delegate to other members of
32 his staff any of his authority or duties under this chapter
33 except this power of delegation and the duty formally to make
34 recommendations to administrative agencies or reports to the
35 King County executive and/or the county council.

1 SECTION 7. Ordinance 479, Section 9, as amended, and
2 K.C.C. 2.52.090 are hereby amended to read as follows:

3 Powers. The director shall have the following powers:

4 A. To investigate, on complaint or on his own, any
5 administrative act of any administrative agency;

6 B. To prescribe the methods by which complaints are made,
7 received and acted upon; he may determine the scope and manner
8 of investigations to be made; and, subject to the requirements
9 of this chapter, to determine the form, frequency and
10 distribution of his conclusions and recommendations;

11 C. To request and he shall be given by each administrative
12 agency the assistance and information he deems necessary for
13 the discharge of his responsibilities; he may examine the
14 records and documents of all administrative agencies; and he
15 may enter and inspect premises within administrative agencies'
16 control;

17 D. To administer oaths and hold hearings in connection
18 with any matter under inquiry;

19 E. To issue a subpoena to compel any person to appear,
20 give sworn testimony or produce documentary or other evidence
21 reasonable in scope and generally relevant to a matter under
22 inquiry; however, the subpoena power shall be limited to
23 matters under written complaints by a citizen of the city or
24 county;

25 F. To undertake, participate in, or cooperate with general
26 studies or inquiries, whether or not related to any particular
27 administrative agency or any particular administrative act, if
28 he believes that they may enhance knowledge about or lead to
29 improvements in the functioning of administrative agencies.

30 G. To investigate and enforce the provisions of the Code
31 of Ethics, K.C.C. Chapter 3.04, pursuant to the terms thereof.

32 H. To provide advice to any person liable for payment of
33 property taxes in King County, including the process for
34 appealing property tax assessments and other matters related to
35 property taxes.

1 SECTION 8. Ordinance 473, Section 11 and K.C.C. 2.52.110
2 are hereby amended to read as follows:

3 A. Action on complaints. The director shall receive
4 complaints from any source concerning any administrative act.
5 He shall conduct a suitable investigation into the subject
6 matter of the complaint within a reasonable time, unless he
7 believes that:

- 8 1. The complainant has available to him another remedy
9 or channel of complaint which he could reasonably be expected
10 to use;
- 11 2. The grievance pertains to a matter outside the power
12 of the citizen complaints/tax advisor;
- 13 3. The complainant's interest is insufficiently related
14 to the subject matter;
- 15 4. The complaint is trivial, frivolous, vexatious or
16 not made in good faith;
- 17 5. The complaint has been too long delayed to justify
18 present examination of its merit.

19 B. After completing his consideration of a complaint
20 (whether or not is has been investigated) the director shall
21 suitably inform the complainant and the administrative agency
22 or agencies involved.

23 C. A letter to the director of the office of citizen
24 complaints/tax advisor from a person in a place of detention or
25 in a hospital or other institution under the control of an
26 administrative agency shall be forwarded immediately, unopened,
27 to the director.

28 SECTION 9. Ordinance 473, Section 18 and K.C.C. 2.52.170
29 are hereby amended to read as follows:

30 A. Rights and duties of witnesses - Enforcement of
31 subpoenas. A person required by the director to provide
32 information shall be paid the same fees and allowances, in the
33 same manner and under the same conditions, as are extended to
34 witnesses whose attendance has been required in the courts of
35 this state, excepting that city or county employees who are

1 receiving compensation for the time that they are witnesses
2 shall not be paid the set fees and allowances.

3 B. A person who, with or without service of compulsory
4 process, provides oral or documentary information requested by
5 the director shall be accorded the same privileges and
6 immunities as are extended to witnesses in the courts of this
7 state.

8 C. Any witness in a proceeding before the office of
9 citizen complaints/tax advisor shall have the right to be
10 represented by counsel.

11 D. If a person fails to obey a subpoena, or obeys a
12 subpoena but refuses to testify when requested concerning any
13 matter under examination or investigation at the hearing, the
14 director may petition the Superior Court of King County for
15 enforcement of the subpoena. The petition shall be accompanied
16 by a copy of the subpoena and proof of service, and shall set
17 forth in what specific manner the subpoena has not been
18 complied with, and shall ask an order of the court to compel
19 the witness to appear and testify before the office of citizen
20 complaints/tax advisor. The court upon such petition shall
21 enter an order directing the witness to appear before the court
22 at a time and place to be fixed in such order and then and
23 there to show cause why he has not responded to the subpoena or
24 has refused to testify. A copy of the order shall be served
25 upon the witness. If it appears to the court that the subpoena
26 was properly issued and that the particular questions which the
27 witness refuses to answer are reasonable and relevant, the
28 court shall enter an order that the witness appear at the time

1 and place fixed in the order and testify or produce the
2 required papers and on failing to obey the order the witness
3 shall be dealt with as for a contempt of court.

4 INTRODUCED AND READ for the first time this 1st day
5 of November, 1993.

6 PASSED this 8th day of November, 1993

7 KING COUNTY COUNCIL
8 KING COUNTY, WASHINGTON

9 Audrey Guyer
10 Chair

11 ATTEST:

12 Ronald A. Poter
13 Clerk of the Council

14 APPROVED this 22nd day of November, 1993.

15 Jim Hill
16 King County Executive

17 Attachments: