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Chapter 1.02

General Penalty

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1.02.010 General penalty--Civil infractions--Burden of proof.

(1) Unless specifically provided otherwise, whenever it is specified in any ordinance of the city of Pullman codified in this code or hereafter adopted and codified that the doing of any act is prohibited, unlawful, or the failure to do any act is unlawful, or that the violation of any provision of any ordinance or any provision of any chapter of this code is a misdemeanor; the same are considered to be civil infractions. Civil infractions are noncriminal offenses for which imprisonment or incarceration may not be imposed as a sanction and the punishment for civil infractions shall be a monetary penalty only, which monetary penalty shall be of the sum not to exceed five hundred dollars.

(2) The burden of proof applicable to civil infractions is "preponderance of the evidence." (Ord. 83-3 §1, 1983; Ord. 82-6 §2, 1982).

1.02.015 Failure to appear before court--Penalty. Any person who has been served with a summons to appear before the Whitman County District Court for violations of any ordinance of the city of Pullman; and, any person, having been released on personal recognizance, after being charged for the violation of any ordinance of the city of Pullman, with the requirement of a subsequent personal appearance before the Whitman County District Court, who wilfully fails to appear when so required by the court shall be guilty of the criminal misdemeanor of failure to appear. Unless otherwise shown, failure to appear when required shall be presumed to be wilful. The penalty for wilful failure to appear shall be a monetary penalty of not more than one hundred dollars or imprisonment for not more than thirty days, or both. The monetary penalty imposed under this section shall be in addition to the monetary penalty for the original civil infraction charged for which the person failed to appear. (Ord. No. 90-2 §1, 1990; Ord. 82-16 §1, 1982).

1.02.020 Schedule of penalty forfeitures.

(1) Civil infractions are classified for the purpose of determining forfeitures of noncontested cases into the following categories:

- (a) Class 1 infractions;
- (b) Class 2 infractions;
- (c) Class 2.5 infractions;
- (d) Class 3 infractions.

(2) An assessment of a forfeiture for a civil infraction shall be an assessment to pay an amount not exceeding the following, which sum includes costs, and filing fees:

- (a) Two hundred and fifty dollars for a Class 1 infraction;
- (b) One hundred and fifty dollars for a Class 2 infraction;
- (c) One hundred dollars for a Class 2.5 infraction;
- (d) Fifty dollars for a Class 3 infraction; provided, however, that said assessment of a forfeiture may be raised or lowered by any court of limited or general jurisdiction of this state upon showing of good cause.

(3) The City Council may from time to time upon the recommendation of the department head responsible for enforcing the appropriate provisions of the Pullman City Code and the concurrence of the city attorney in that recommendation, establish by resolution recommendations as to the amount of the assessment of a forfeiture by specifying the class of a civil infraction or the amount of the penalty for the violation of any section of the Pullman City Code. The City Council may concur with, modify, or reject the recommendation. Any and all recommendations established pursuant to this section shall be effective when and as adopted by the order of the Whitman County District Court; and, may be raised or lowered by any court of limited or general jurisdiction of this state upon a showing of good cause. (Ord. No. 90-9 §1, 1990; Ord. No. 90-2 §2, 1990; Ord. 85-30 §1, 1985; Ord. 82-6 §3, 1982).

1.02.030 Administrative Responsibilities.

(1) Except as provided in this section, this chapter does not alter the responsibilities vested by this code in the several officers and employees for administration and enforcement of its various provisions.

(2) For purposes of issuing a notice of civil infraction, the code enforcement officer is:

- (a) the city supervisor or the particular department director vested with administrative and enforcement jurisdiction in the particular matter, or
- (b) an employee or agent to whom enforcement jurisdiction has been specifically conferred, authorizing the issuance of a notice of infraction for the kind of violation in question, or
- (c) a regularly-commissioned law enforcement officer, or

(d) a city prosecutor. (Ord. 99-24 §3, 1999)

1.02.040 Preliminary Determination of Violation.

(1) Whenever it appears that a prohibited act may have been done, a required act may have been omitted, a prohibited condition may exist, or otherwise there may have been a violation of this code, the code enforcement officer investigates the matter as warranted to determine whether there is a code violation. If the alleged violation came to the officer's attention by way of a written complaint and, after investigation, a code violation is not found, the officer should inform the complainant of the finding.

(2) If the officer finds a violation, the officer may attempt to secure voluntary correction by contacting the responsible person(s), explaining the violation and requesting correction before issuing a notice of violation or notice of civil infraction. (Ord. 99-24 §4, 1999; Ord. 82-6 §5, 1982).

1.02.050 Notice of Violation or Notice of Civil Infraction.

If, upon completion of the investigation, the code enforcement officer finds a violation, and any attempt to achieve voluntary correction has not succeeded, the officer may issue a

(1) notice of violation, in such form and upon such procedure as have been established under the pertinent provisions of this code, or

(2) notice of civil infraction, in such form and upon such procedure as provided in this chapter. (Ord. 99-24 §6, 1999)

1.02.060 Notice of Civil Infraction.

(1) Form. The notice of civil infraction is in the form of the Washington Uniform Court Docket.

(2) Who May Issue. A notice of civil infraction may be issued, upon certification that the issuer has probable cause to believe, and does believe, that a person has committed an infraction contrary to law:

- (a) By a citing officer. The infraction need not have been committed in the officer's presence, except as provided by statute;
- (b) By the prosecuting authority.

(3) Service. The notice of civil infraction is served either by

- (a) the citing officer serving the notice of civil infraction on the person named in the notice of civil infraction at the time of issuance; or
- (b) the citing officer or the prosecuting authority filing the notice of civil infraction with the court, in which case the court has the notice served either personally or by mail, postage pre-paid, on the person named in the notice of civil infraction at his or her address. If a notice of civil infraction served by mail is returned to the court as undeliverable, the court issues a summons.

(4) Filing. When a notice of civil infraction has been issued, the notice is filed with the municipal court within forty-eight hours after issuance, excluding Saturdays, Sundays, and holidays, except parking violations. (Ord. 99-24 §7, 1999)

1.02.070 Person Receiving Notice - Identification and Detention.

(1) A person who is to receive a notice of civil infraction is required to identify himself or herself to the enforcement officer by giving his or her name, address, and date of birth. Upon the request of the officer, the person shall produce reasonable identification, including a driver's license or identicard.

(2) A person who is unable or unwilling to reasonably identify himself or herself to an enforcement officer may be detained for a period of time no longer than is reasonably necessary to identify the person for purposes of issuing a civil infraction.

(3) If a suspect refuses to provide full name, date of birth, or address, the officer may transport the person to the station to be photographed and fingerprinted. The person must then be immediately released and the fingerprints submitted to AFIS for identification. Upon identification the officer will submit a report to the court to have the infraction issued. (Ord. 99-24 §8, 1999)

1.02.080 Response to Notice of Civil Infraction.

(1) Generally. A person who has been served with a notice of civil infraction must respond to the notice within fifteen days of the date the notice is personally served or, if the notice is served by mail, within ten days of the date the notice is mailed.

(2) Alternatives. A person may respond to a notice of civil infraction by:

- (a) paying the amount of the monetary penalty in accordance with applicable law, in which case the court shall enter a judgment that the defendant has committed the infraction;
- (b) contesting the determination that an infraction occurred by requesting a hearing in accordance with applicable law; or
- (c) requesting a hearing to explain mitigating circumstances surrounding the commission of the offense.

(3) Method of Response. A person may respond to a notice of civil infraction either personally or by mail. If the response is mailed, it must be mailed not later than midnight of the day the response is due. (Ord. 99-24 §9, 1999)

1.02.090 Failure to Respond.

If the defendant fails to respond to a notice of civil infraction, the court shall enter an order finding that the defendant has committed the infraction and shall assess any monetary penalties provided for by law. (Ord. 99-24 §10, 1999)

1.02.100 Procedure at Contested Hearing.

The court shall conduct the hearing for contesting the notice of civil infraction on the record in accordance with applicable law and court rule. (Ord. 99-24 §11, 1999)

1.02.110 Hearing on Mitigating Circumstances.

The Court shall conduct the hearing concerning mitigating circumstances in accordance with applicable law and court rule. (Ord. 99-24 §12, 1999)

1.02.120 Notice, Failure to Sign, Nonappearance B Failure to Satisfy Penalty.

(1) A person who fails to sign an acknowledgment of receipt of a notice of civil infraction is guilty of a misdemeanor.

(2) Any person willfully violating his or her written and signed promise to appear in court or his or her written and signed promise to respond to a notice of civil infraction is guilty of a misdemeanor regardless of the disposition of the notice of civil infraction. A written promise to appear in court or written promise to respond to the notice of civil infraction may be complied with by an appearance by counsel.

(3) A person who willfully fails to pay a monetary penalty or to perform community service as required by a court under this chapter may be found in contempt of court as provided in chapter 7.21 RCW. (Ord. 99-24 §13, 1999)

1.02.130 Certificate of Correction.

At the request of a person responsible, the code enforcement officer will re-inspect to determine if correction of the violation has been accomplished. If so, the officer will sign and provide to such person responsible a certificate of correction. If at least forty-eight hours prior to the hearing on the infraction, the person responsible presents a certificate of correction to the municipal court, the infraction will be dismissed. (Ord. 99-24 §14, 1999)

1.02.140 Remedies Not Exclusive.

The levy of a civil penalty is not exclusive and does not preclude other remedies for code violations such as revocation of license or permit, collection of penalties and interest, suspension of municipal service and abatement of nuisance. The failure of a person to comply with an order issued on account of violation that has been the subject of a civil infraction is a misdemeanor. (Ord. 99-24 §15, 1999)

1.02.150 Parking infractions--Recommendations as to penalty. The City Council may from time to time, by resolution, recommend to the Whitman County District Court the amount of a penalty for the violation of any parking regulation of the city of Pullman, which penalty shall be effective when and as adopted by order of the Whitman County District Court. (Ord. 99-24 §2, 1999; Ord. 82-6 §4, 1982).

1.02.160 Construction. The provisions of this Chapter shall be liberally construed in order to effectuate the purposes of this Chapter. (Ord. 99-24 §16, 1999)

1.02.170 Severability. The provisions of this chapter are hereby declared to be severable. If any section, subsection, sentence, clause, or phrase of this chapter or its application to any person or circumstance is for any reason held to be invalid or unconstitutional, the remainder of this chapter shall not as a result of said section, subsection, sentence, clause, or phrase be held unconstitutional or invalid. (Ord. 99-24 §17, 1999; Ord. 82-6 §6, 1982)

Chapter 1.03

City Classification

Sections:

1.03.010 Adopted.

1.03.010 Adopted. Notwithstanding anything contained in the ordinance of the city of Pullman, Washington, to the contrary, the city of Pullman, Washington, adopts the classification of a non-charter code city operating under the concept of a seven-member city council plus a mayor plan of government as set forth in R.C.W. Chapter 35A.12 endowed with all the applicable rights, powers, privileges, duties, and obligations of noncharter code cities as set forth in R.C.W. Title 35A as the same now exists, including, but not by way of limitation, those set forth in R.C.W. Chapter 35A.11, and further including any and all supplements, amendments, or other modifications of the title hereafter at any time enacted. (Ord. A-943, §1, 1971).

Chapter 1.04

City Council*

Sections:

1.04.010 Regular meeting times and dates.

1.04.020 Location of meetings.

1.04.029 Cancellation of regular meetings.

1.04.010 Regular meeting times and dates.** Regular meetings of the City Council shall be held at seven-thirty p.m. on Tuesdays of each calendar month. In the event any such Tuesday falls upon a legal holiday as prescribed by the laws of the state of Washington, the regular meeting

scheduled thereon shall be held at the regular meeting time on the next regular business day. (Ord. 85-24 §1, 1985; Ord. 84-14 §1, 1984; Ord. 79-27 §1, 1979; Ord. B-335 §1, 1977; Ord. B-324 §1, 1977; Ord. B-291 §1, 1976; Ord. B-266 §2, 1976).

1.04.020 Location of meetings. All meetings of the City Council shall be held at the city hall, provided, that the City Council may adjourn the meetings to other places as it may determine. (Ord. 82-52 §1, 1982; Ord. 79-56 §1, 1979; Ord. 79-27 §2, 1979).

1.04.029 Cancellation of regular meetings. The Mayor may cancel any regular meeting of the City Council if the Mayor determines such a meeting is not necessary and gives a written notice of cancellation to each member of the City Council and to each local newspaper of general circulation and to each local radio or television station which has on file with the city clerk a written request to be notified of such cancellations. The notice of cancellation shall be delivered either by deposit in the regular mail not later than the Friday immediately preceding the regular meeting so canceled or, in the alternative, by personal delivery not later than twenty-four hours prior to the scheduled commencement of the regular meeting so canceled. If personal delivery can not be timely effected on a councilmember due to the unavailability of a councilmember, the regular meeting shall be considered canceled if a majority of the whole council can be timely notified of the cancellation; provided, however, that nothing in this section shall be construed so as to prevent the City Council from meeting in regular session at least once each month. (Ord. 84-27 §1, 1984).

* For statutes relating to the City Council, see R.C.W. 35A.12.

** For statute regulating meetings, see R.C.W. 35A.12.110.

Chapter 1.08

City Officers and Employees*

Sections:

- 1.08.010 [City officers--Bonds](#) .
- 1.08.025 [Appointive officer's and employees' residency requirements](#).
- 1.08.090 [Oath of office](#).
- 1.08.100 [City offices-Business hours](#) .

1.08.010 City officers--Bonds. The official bonds of the following officers of the city of Pullman shall be, and the amounts thereof are fixed, as follows:

Finance Director One hundred thousand dollars;
City Supervisor Twenty-five thousand dollars;
Chief of Police Two thousand five hundred dollars;

The bonds shall be conditioned upon the faithful performance of the duties of the offices respectively, and for the prompt accounting for and payment and delivery over of all moneys, securities, and other property of the city to the officer or person entitled to custody of the same, and, in the case of the finance director, for the faithful and safekeeping of and an accounting for all moneys and securities in the city treasury. The bond requirements of the Finance Director, City Supervisor, and Chief of Police may be fulfilled by the purchase of a blanket fidelity bond covering all employees in an amount of not less than \$250,000.

All other employee positions have an honesty blanket position bond of two thousand five hundred dollars. (Ord. 01-1 §1, 2001; Ord. 85-20 §1, 1985; Ord. 81-46 §2, 1981; Ord. 80-53 §1, 1980; Ord. 557 §1, 1932).

1.08.025 Appointive officers and employees' residency requirements. Unless required by state statute, city ordinance, or contractual agreement, residency is not a requirement for appointment to paid or unpaid city service, except as provided for in 17.15.040 (Board of Adjustment); 17.20.030 (Planning Commission); and R.C.W. 41.08.030 and R.C.W. 41.12.030 (Civil Service Commission). (Ord. 07-21 §2, 2007; Ord. 97-13 §1, 1997; Ord. 88-20 §1, 1988; Ord. 87-17 §1, 1987; Ord. 80-53 §2, 1980).

1.08.090 Oath of office. Every elected or appointed councilmember or mayor shall take the

following oath of office.

OATH OF OFFICE

STATE OF WASHINGTON)

: ss

County of Whitman)

I, _____, (name of official), having been duly elected (appointed) to the office of _____ of the city of Pullman, state of Washington do solemnly swear (or affirm) that I will faithfully and impartially discharge the duties of my office as prescribed by law and to the best of my ability, and will support and maintain all valid ordinances of the city of Pullman, the laws and the constitution of the state of Washington, and of the United States of America. So help me God (optional).

(Title of Office)

(Ord. 03-5 §1, 2003; Ord. 79-79 §1, 1979).

1.08.100 City offices--Business hours. All city offices shall be kept open for the transaction of business between the hours of eight a.m. and five p.m. on Monday through Friday of each week, excluding legal holidays. In addition to the hours herein-before specified, the city supervisor may authorize, either orally or in writing, the director of public works, the chief of police, the fire chief, the director of public services, and the finance director, to open offices under their control at such other times for the transaction of business as may be requested of the city supervisor by the aforementioned persons. (Ord. 85-20 §2, 1985; Ord. 81-50 §1, 1981)

Chapter 1.12

Employment Regulations*

Sections:

- 1.12.010 [Definitions](#) .
- 1.12.020 [Compensation and rates](#) .
- 1.12.030 [Overtime compensation.](#)
- 1.12.040 [Legal holidays.](#)
- 1.12.050 [Sick leave.](#)
- 1.12.060 [Workers compensation.](#)
- 1.12.070 [Vacation leave.](#)
- 1.12.080 [Computation of leave time.](#)
- 1.12.090 [Jury duty leave.](#)
- 1.12.100 [Leave without pay.](#)
- 1.12.110 [City contribution to employee retirement and wel-fare programs.](#)
- 1.12.120 [Classification and wage plans.](#)
- 1.12.140 [Exemptions.](#)
- 1.12.150 [Implementation.](#)
- 1.12.160 [Severability.](#)

1.12.010 Definitions. As used in this Chapter, the following terms shall have the following meanings:

(1) "Day's work" or "work day" means eight hours of work performed within a period of twenty-four consecutive hours on any assigned shift or job, whether such shift is continuous or split. Exceptions to the eight hour standard shall be allowed in those cases in which exceptions are created by employment agreement, labor contract, or applicable law. Exceptions shall also be allowed for those working a ten-hour day on a four-day work week schedule.

(2) "Regular work week" shall mean forty hours of scheduled work in a period of seven consecutive days, except for exceptions provided by labor agreements or applicable law. "Regular work week" for elective officials, department heads and administrative employees shall mean such time as may be required to properly carry out their duties.

(3) "Overtime" means the time worked in excess of a "work day" or in excess of a "regular work week", provided such overtime is performed at the direction of an employee of the city who has the authority to approve overtime work.

(4) "Trial status" means the term of employment or trial service period during which an employee works prior to attaining regular employment status.

* Prior ordinance history: Ord. A-455 as amended by Ord. A-660.

(5) "Civil service employee" means an employee whose employment is governed by state and local civil service regulations.

(6) "Regular employee" means an employee who has completed his trial period and is employed at a fixed wage, and who is not a temporary, seasonal, or casual employee.

(7) "Casual employee" means an employee who is expected to work equal to or less than 16.5 hours per week.

(8) "Department head" means the director or supervisor of each department of the city of Pullman.

(9) "Wages" means compensation due an employee by reason of his employment.

(10) "Regular rate of pay" means the amount of compensation as established by the City Council.

(11) "Part-time employee" means one who is expected to work less than forty hours per week, but twenty or more hours per week.

(12) "Temporary employee" means one who is employed on an hourly basis for a period of six months or less. (Ord. 98-7 §1, 1998; Ord. 97-34 §1, 1997; Ord. 85-18 §1, 1985; Ord. 81-17 §1(a), 1981).

1.12.020 Compensation and rates. The employees of the city, except volunteer members of the fire department, shall be paid at a rate fixed by the annual budget. (Ord. 81-17 §1(b), 1981).

1.12.030 Overtime compensation. All overtime for employees of the city shall be compensated in accordance with applicable state and federal laws.

Employees of the city who are exempt under federal and state overtime laws shall not receive overtime pay. (Ord. 97-34 §2, 1997; Ord. 81-17 §1(c), 1981).

1.12.040 Legal holidays. The following holidays are adopted as legal holidays for the city of Pullman, and each of the holidays shall be observed by the city of Pullman on the date or day shown below:

New Year's Day, January 1; Martin Luther King Day, third Monday in January; Presidents' Day, third Monday in February; Memorial Day, last Monday in May; Independence Day, July 4; Labor Day, first Monday in September; Veterans Day, November 11; Thanksgiving Day, fourth Thursday in November; the day after Thanksgiving, fourth Friday in November; Christmas, December 25; and in addition to these holidays, each regular employee and each trial employee who has worked more than six months shall be granted one floating holiday, at employee's choice, and taken in accordance with recognized policies and procedures of the city of Pullman. (Ord. 97-34 §3, 1997; Ord. 86-23 §1, 1986; Ord. 81-17 §1(d), 1981).

1.12.050 Sick leave. Sick leave with regular pay at the rate of one day for each full calendar month of continuous city employment shall be allowed to all employees other than temporary employees and casual employees; provided, however, that for such employees employed less than forty hours per week, the sick leave accrual shall be pro-rated on the basis of either one-half time (20-29 hours per week) or three-quarter time (30-39 hours per week). Sick leave shall not be accumulated for a period exceeding one hundred days or eight hundred hours,

whichever is less. Sick leave shall be granted in accordance with recognized policies and procedures of the city of Pullman. (Ord. 97-34 §4, 1997; Ord. 81-17 §1(e), 1981).

1.12.060 Workers compensation. Regular or trial employees who are entitled to receive compensation under the "Workers Compensation Act" of the state of Washington (R.C.W. Title 51), the Personnel Policies and Procedures Manual of the city of Pullman, or applicable employment or labor contracts, shall receive from the city of Pullman supplementary benefits in accordance with the applicable provisions governing benefits for such an employee. (Ord. 97-34 §5, 1997; Ord. 85-18 §2, 1985; Ord. 81-17 §1(f), 1981).

1.12.070 Vacation leave. A regular employee who is in the service of the city shall be entitled to a vacation with pay; provided, however, that:

(1) trial employees shall be eligible for vacation after six months but vacation shall not be granted to temporary, seasonal, or casual employees.

(2) no trial employee shall be paid for accrued vacation in the event of resignation, termination, or death.

(3) unless by contractual agreement, an employee shall accumulate no more than twenty-five days total vacation time.

(4) where a regular employee is in the service of the city for a total number of months less than one year, he is entitled to a vacation of one day per month of employment.

(5) employees who have been employed continuously by the city for a period of time of one year or more shall accrue a vacation based on the following:

- (a) One through five years of service, twelve days paid vacation per year;
- (b) Six through ten years of service, fifteen days paid vacation per year;

- (c) Eleven through fifteen years of service, eighteen days paid vacation per year;
- (d) Over fifteen years of service, twenty-one days paid vacation per year. (Ord. 97-34 §6, 1997; Ord. 86-23 §2, 1986; Ord. 81-17 §1(g), 1981).

1.12.080 Computation of leave time. Regularly scheduled days off and legal holidays as herein named shall not be counted when determining the time taken under either sick leave or annual leave pursuant to this Chapter. (Ord. 97-34 §7, 1997; Ord. 81-17 §1(h), 1981).

1.12.090 Jury duty leave. Any employee who is required to be absent from his duties for jury duty, or as a witness in court in a case where he or she is not a litigant, shall receive from the city of Pullman full pay for the time absent; and, the employee shall assign and transfer to the city of Pullman all compensation received as juror or witness except travel reimbursement and actual out-of-pocket expenses unless, however, the employee has elected to have the absence herein provided for charged against accrued annual leave, a personal holiday or leave without pay. (Ord. 97-34 §8, 1997; Ord. 81-17 §1(i), 1981).

1.12.100 Leave without pay. Leave without pay may be granted by a department head to any employee once the employee has exhausted all paid leave. Temporary, casual, or seasonal employees may be granted leave without pay for up to 30 days. (Ord. 97-34 §9, 1997; Ord. 81-17 §1(j), 1981).

1.12.110 City contribution to employee retirement and welfare programs. The city shall contribute financially as required by the laws of the state of Washington or as authorized by resolution or ordinance of the City Council to a retirement plan or plans or welfare plan or plans or any combination thereof on behalf of the city and/or its employees. (Ord. 97-34 §10, 1997; Ord. 81-17 §1(k), 1981).

1.12.120 Classification and wage plans. The City Council may, by resolution, fix and determine classifications of jobs for city employees and fix the compensation therefor. (Ord. 81-17 §1(l), 1981).

1.12.140 Exemptions. Employees covered by civil service rules, separate union contracts agreed to by the city of Pullman, or volunteer members of the police and fire departments may not come under the provisions of this Chapter, and this Chapter may not apply to them, except

as specifically provided for by the laws of the United States or the state of Washington or as specifically bargained for and specifically agreed to in writing between the city of Pullman and the appropriate collective bargaining representatives and ratified by the employees of the bargaining unit. (Ord. 97-34 §11, 1997; Ord. 81-17 §1(n), 1981).

1.12.150 Implementation. When not inconsistent with the provisions of this Chapter, the City Council may adopt such resolutions and ordinances as it deems necessary in order to implement personnel policies and procedures. (Ord. 81-17 §1(o), 1981).

1.12.160 Severability. The provisions of this Chapter are declared to be severable. If any section, subsection, sentence, clause, or phrase of this Chapter or its application to any person or circumstance is for any reason held to be invalid or unconstitutional, the remainder of the Chapter, shall not as a result of said section, subsection, sentence, clause, or phrase, be held unconstitutional or invalid. (Ord. 81-17 §1(p), 1981).

Chapter 1.14

Equal Employment Opportunity Policy

Sections:

- 1.14.005 City policy on diversity in the workplace.
- 1.14.010 Refusal to hire due to discrimination prohibited.
- 1.14.030 Responsibility.

1.14.005 City policy on diversity in the workplace.

The city of Pullman recognizes that continued success in meeting the needs of the community requires the full and active participation of talented and committed individuals regardless of their respective race, ethnicity, religion, gender, age, sexual orientation, physical or mental

disabilities, and social, economic, or cultural background and that only by fostering an environment of recognition and acceptance, can we begin to appreciate and support the strengths afforded by the range of problem solving styles, communication skills, ideas, and organizational contributions of each and every person.

Diversity is inclusion. It stresses equal employment opportunity, and recognizes and respects the multitude of differences that employees bring to the workplace, as well as acknowledging the changing diversity of our community. The ultimate goal of workplace diversity is to attract, hire, retain, and successfully manage the inclusion of individuals, representing different lifestyles, cultures, values, and ideas into our organization.

It is the city's policy, therefore, to have a workforce that reflects the diverse composition of our community. To that end, department heads, managers, and supervisors responsible for hiring and/or promotional decisions, are charged with making good faith effort to achieve employment diversity within their area of responsibility. Diversity will be achieved when the city at all organizational levels recognizes the true value of a diverse workforce and is comfortable selecting and retaining individuals from diverse backgrounds, including them in our organizational culture, and utilizing their full range of potential. (Ord. 98-41 §2, 1998).

1.14.010 Refusal to hire due to discrimination prohibited. The city of Pullman shall not refuse to hire any person for a position with the city of Pullman because of such person's sex, religion, age, color, national origin, race, marital status, sexual preference or orientation, or physical or mental disability unless based upon bona fide occupational qualifications; provided, that the prohibition against discrimination because of such disability shall not apply if the particular disability prevents the proper performance of the particular worker involved. Each applicant shall receive a fair evaluation of his or her qualifications when being considered for a position or for a promotion. (Ord. 97-34 §12, 1997; Ord. B-271 §2, 1976).

1.14.030 Responsibility. All employees of the city of Pullman shall be responsible for adhering to the City's policies of diversity, equal employment opportunity, and prohibitions against discrimination. (Ord. 98-41 §3, 1998; Ord. 97-34 §13, 1997; Ord. B-271 §4, 1976).

Chapter 1.15

Employee Award Programs

Sections:

1.15.010 Establishment.

1.15.020 Authority to set forth rules, regulations, and guidelines by resolution.

1.15.030 Program subject to budget allocations.

1.15.040 Severability.

1.15.010 Establishment. The city establishes programs of awards to stimulate and reward city employees for suggestions that are of benefit to the city, incentive programs for participation in health and wellness activities, and for the recognition of years of service with the city. Participation in the programs shall be limited to those employees who satisfy the rules, regulations, and guidelines as are set forth by the City Council for the administration of the programs. (Ord. 04-02 §1, 2004, Ord. 03-28 §1, 2003; Ord. 81-69 §1, 1981).

1.15.020 Authority to set forth rules, regulations, and guidelines by resolution. The City Council shall from time to time establish rules, regulations, and guidelines as may be necessary and appropriate for the administration of the programs. (Ord. 03-28 §2, 2003; Ord. 81-69 §2, 1981).

1.15.030 Program subject to budget allocations. The programs shall be subject to the availability of budgeted funds as determined by the City Council each year when setting the annual budget for the city or any amendments thereto. (Ord. 03-28 §2, 2003, Ord. 81-69 §3, 1981)

1.15.040 Severability. The provisions of this Chapter are hereby declared to be severable. If any section, subsection, sentence, clause, or phrase of this Chapter or its application to any person or circumstance is for any reason held to be invalid or unconstitutional, the remainder of this Chapter shall not as a result of said section, subsection, sentence, clause, or phrase be held unconstitutional or invalid. (Ord. 81-69 §4, 1981).

Chapter 1.16

City Attorney

Sections:

1.16.010 Office continued.

1.16.020 Duties.

1.16.030 Appointment and removal.

1.16.101 Office continued. The office of the city attorney is continued. (Ord. 03-22 §1, 2003; Ord. 82-2 §1, 1980).

1.16.020 Duties. The city attorney shall advise city staff, officers, boards and commissions, and elected officials in all legal matters pertaining to the business of the city and shall approve all ordinances and resolutions as to form. The city attorney shall represent the city in all actions brought by or against the city or against city officials in their official capacity. The city attorney shall attend all regular and special City Council business meetings except when excused. The city attorney shall also attend workshop sessions at the request of the City Council, the mayor, or the city supervisor. (Ord. 80-2 §2, 1980).

1.16.030 Appointment and removal. The city attorney shall be appointed by the mayor, subject to confirmation by the City Council. Said appointment shall be made on the basis of ability and training or experience of the appointee in the duties the city attorney is to perform. The city attorney shall serve at the pleasure of the mayor. (Ord. 80-2 §3, 1980).

Chapter 1.18

Department of Public Works

Sections:

- 1.18.010 [Generally](#) .
- 1.18.030 [Director--Appointment and salary](#) .
- 1.18.040 [Director--Duties](#).
- 1.18.050 [Department divisions](#) .
- 1.18.060 Delegation of duties.
- 1.18.070 Administration by City Supervisor.
- 1.18.080 Communication procedures between offices.
- 1.18.090 Severability.

1.18.010 Generally. There is created a department of public works for the city of Pullman; and there is established the position of director of public works, which director shall administer various divisions of the department of public works. (Ord. 81-10 §1, 1981; Ord. B-65 §1, 1972).

1.18.030 Director--Appointment and salary. The director of public works shall be appointed by the Mayor, subject to confirmation by the City Council, and he shall serve at the pleasure of the mayor. The mayor shall recommend a salary for the position of director of public works, and the salary shall be established by the City Council in the annual budget ordinance. (Ord. 81-10 §3 (I), 1981).

1.18.040 Director--Duties. The director shall have the following duties:

(1) Supervise and direct all employees of the department;

(2) Advise the city supervisor and the City Council on all matters within the jurisdiction of the department of public works;

(3) Authority to delegate the responsibility to division heads to issue all permits, certificates, orders, and notifications resulting from decisions on the ordinances administered by the department;

- (4) Coordinate and supervise physical inspections made by the department;
- (5) Process all subdivision plats and make recommendations to the City Council on such plats;
- (6) Serve as the ex officio building official;
- (7) Enforce all laws and ordinances in the city relating to the construction, repair, or alteration of buildings or structures and the use of streets, parkways, alleys, or other public rights-of-way in connection therewith; and make or cause to be made all inspections needed for that purpose;
- (8) Have charge of and supervision over all public works property of the city including all streets, utilities, sidewalks, and other property of the city not specifically assigned to any other city department;
- (9) Have charge of and be responsible for the care and maintenance of the water system, the sanitary sewer system and disposal plant, the stormwater and surface water system and stormwater control facilities, the street lighting system and all streets and sidewalks and drainage thereof;
- (10) All construction, repair, or extension of any pavement, building, sewer, or lighting system, water mains, and any appurtenance thereto and all other construction, repair, or maintenance work conducted by the city shall be done under the supervision of the director unless specific direction to the contrary is made by the City Council;
- (11) The director of public works shall also have charge of and be responsible for the maintenance of all motor vehicles, trucks, and other equipment of the city; which responsibilities, however, may be delegated to the superintendent of transportation. The director shall have charge and responsibility for the building and places in which the motor vehicles and other equipment are stored;

(12) The director shall attend meetings of the City Council at the request of the Council, mayor, or city supervisor. He shall make such reports to the City Council through the city supervisor as may be required. He shall also make recommendations for ordinances or resolutions respecting the public works department whenever he is so requested or whenever he deems it advisable or necessary;

(13) Such other duties as prescribed by ordinance or state law.

(14) Administer floodplain, shoreline codes and environmental laws with the assistance of the department of planning. (Ord. 09-2 §18, 2009; Ord. 99-22 §1, 1999; Ord. 85-19 §1, 1985; Ord. 81-10 §3(2), 1981).

1.18.050 Department divisions.

(1) Engineering Division. The city engineer shall be the head of the engineering division, shall serve as city traffic engineer and shall report to the director. The engineering division shall be responsible for the following:

(a) Keep accurate maps, plats, and records of all public works, lands, or property owned by the city;

(b) Process all engineering work required by the city in connection with all local improvements, repairs, and betterment by the city of Pullman except where such work has been contracted out subject to the approval of the City Council;

(c) Have general supervision and direction of all construction work;

(d) Conduct traffic safety studies and all other duties assigned respecting traffic by ordinance or

the director;

(e) Supervises protective inspections; and,

(f) Other duties as assigned by the director.

(2) Protective Inspections Division. The engineering division shall supervise the protective inspections division. The protective inspections division shall be responsible for the following:

(a) Process all applications for building permits;

(b) Have charge of building inspections of all buildings, structures, or portions thereof as required by the Construction Code (Title 2), and of any other work authorized by any building permit; and,

(c) Other duties as assigned by the director.

(3) Maintenance and Operations Division. The maintenance and operations superintendent shall be the head of maintenance and operations division and shall report to the director. The maintenance and operations division shall be responsible for the following:

(a) Maintenance and operation of the city water system;

(b) Maintenance and operation of the city sanitary sewer collection system;

(c) Maintenance and operation of the city wastewater treatment plant;

(d) Maintenance and operation of the city street light-ing system;

(e) Maintenance and operation of the city traffic control system;

(f) Maintenance and operation of the dedicated and improved city street system including all dedicated and improved alleys;

(g) Maintenance and operation of the city storm drain-age system;

(h) Operation of city equipment maintenance services;

(i) Administration of the equipment rental fund;

(j) Review of all vehicular equipment operating, main-tenance and replacement costs, and recommend appropriate rental rates to the City Council through the director; and,

(k) Other duties as assigned by the director.

(4) Transit Division. The transit operations supervisor shall head the transit division and shall report to the director. The transit division shall be responsible for the following:

(a) Promotion and marketing of the transit system;

(b) Operation of the transit system;

(c) Providing staff for the transit commission; and,

(d) Other duties as assigned by the director.

The transit operations supervisor shall attend all meetings of the transit commission and shall act as staff advisor to the commission. He shall forward the recommendations of the commission to the City Council through the director. (Ord. 99-24 §2, 1999) Ord. 92-12 §1, 1992; Ord. 87-18 §1, 1987, Ord. 85-19 §2, 1985; Ord. 81-10 §3(3), 1981).

1.18.060 Delegation of duties. The director of public works may from time to time delegate certain duties to other employees of the department. However, such delegation shall not relieve the director from responsibility of carrying out the duties of his office. (Ord. 81-10 §3(4), 1981).

1.18.070 Administration by City Supervisor. The director of public works shall report to and receive supervision from the city supervisor concerning the administration of the department of public works. (Ord. 81-10 §3(5), 1981).

1.18.080 Communications procedures between offices. Community policy direction shall be transmitted from the mayor and the City Council through the city supervisor to the director. Recommendations and reports as required, concerning policies and operations of the department of public works shall be transmitted to the city supervisor for submission to the mayor and City Council. (Ord. 81-10 §3(6), 1981).

1.18.090 Severability. The provisions of this Chapter are declared to be severable. If any section, subsection, sentence, clause, or phrase of this Chapter or its application to any person or circumstances is for any reason held to be invalid or unconstitutional, the remainder of this Chapter shall not as a result of said section, subsection, sentence, clause, or phrase be held unconstitutional or invalid. (Ord. 81-10 §3(7), 1981).

Chapter 1.20

Department of Planning

Sections:

- 1.20.010 Generally.
- 1.20.020 Director--Appointment and salary.
- 1.20.030 Director--Duties.
- 1.20.040 Delegation of Duties.
- 1.20.050 Administration by City Supervisor.
- 1.20.060 Communication procedures between offices.
- 1.20.070 Severability.

1.20.010 Generally. There is created a department of planning for the city of Pullman; and there is established the position of director of planning, which director shall administer various duties of the department of planning. (Ord. 99-23 §1(part), 1999).

1.20.020 Director--Appointment and salary. The director of planning shall be appointed by the Mayor, subject to confirmation by the City Council, and he shall serve at the pleasure of the mayor. The mayor shall recommend a salary for the position of director of planning, and the salary shall be established by the City Council in the annual budget ordinance. (Ord. 99-23 §1(part), 1999)

1.20.030 Director--Duties. The director shall have the following duties:

(1) Undertake research studies relative to the comprehensive plan; and prepare and recommend comprehensive plan amendments or revisions;

(2) Review all annexation proposals and submit written recommendations to the City Council through the director;

- (3) Maintain the official zoning map and keep it up to date;
- (4) Administer and enforce the zoning code and conduct inspections of all buildings, structures, signs, and uses of any premises to determine compliance or noncompliance with the terms of the zoning code;
- (5) Act as advisor to the Planning Commission, Board of Adjustment, and Environmental Quality Commission and maintain permanent and current records of their official actions;
- (6) Manage the decennial census for the city and prepare an annual population estimate for use by the state;
- (7) Assist the department of public works in the administration of environmental laws;
- (8) Other duties as assigned by the city supervisor. (Ord. 99-24 §1(part), 1999)

1.20.040 Delegation of duties. The director of planning may from time to time delegate certain duties to other employees of the department. However, such delegation shall not relieve the director from responsibility of carrying out the duties of his office. (Ord. 99-23 §1(part), 1999)

1.20.050 Administration by City Supervisor. The director of planning shall report to and receive supervision from the city supervisor concerning the administration of the department of planning. (Ord. 99-23 §1(part), 1999)

1.20.060 Communications procedures between offices. Community policy direction shall be transmitted from the mayor and the City Council through the city supervisor to the director. Recommendations and reports as required, concerning policies and operations of the department of planning shall be transmitted to the city supervisor for submission to the mayor

and City Council. (Ord. 99-23 §1(part), 1999)

1.20.070 Severability. The provisions of this Chapter are declared to be severable. If any section, subsection, sentence, clause, or phrase of this Chapter or its application to any person or circumstances is for any reason held to be invalid or unconstitutional, the remainder of this Chapter shall not as a result of said section, subsection, sentence, clause, or phrase be held unconstitutional or invalid. (Ord. 99-23 §1(part), 1999)

Chapter 1.26

Department of Public Services

Sections:

- 1.26.010 Department of Public Services continued.
- 1.26.020 Director of Public Services--Appointment--Duties--Salary.
- 1.26.030 Divisions in the Department of Public Services.
- 1.26.040 Delegation of duties of the director.
- 1.26.050 Subordination to City Supervisor.
- 1.26.060 Communication procedure between city offices.
- 1.26.070 Severability.

1.26.010 Department of Public Services continued. There is created a department of public services for the city of Pullman. The responsibilities of the department of public services include:

(1) creation and operation of recreational programs; and,

(2) performance of grounds maintenance for all city parks, cemeteries, landscaped areas, and other properties belonging to the city; and

(3) maintenance and operation of governmental buildings owned by the city. (Ord. 81-15 §1, 1981; Ord. 81-10 §5, 1981; Ord. 80-34 §1, 1980).

1.26.020 Director of Public Services--Appointment--Duties--Salary.

(1) There is created the office of director of public services. The director of public services shall be appointed by the mayor subject to confirmation by the City Council and shall hold office at the pleasure of the mayor.

(2) The director of public services shall be the head of the department and shall have supervision over all the employees assigned to the department subject to the control of the city supervisor. The director shall be responsible for the performance by the department of public services or its responsibilities. All appointments and promotions within the department shall be made by the director subject to the approval of the city supervisor.

(3) The salary of the director of public services shall be recommended by the mayor and established by the City Council in the annual budget.

(4) The director of public services shall make such reports to the City Council through the city supervisor as may be required. The director shall also make recommendations for rulings, orders, ordinances, or resolutions respecting the department of public services whenever requested or whenever the director deems it advisable or necessary.

(5) The director's duties include recommending fees for recreational programs and burial in the city cemetery, which the Council shall set from time to time by resolution. In so doing, the director shall solicit recommendations for fees for the cemetery committee and the parks and recreation commission.

(6) The director shall act as the staff advisor to the parks and recreation commission and the cemetery committee. The director shall also be responsible for the maintenance of all

government buildings owned by the city and such other duties as are assigned.

(7) The director shall attend meetings of the City Council at the request of the Council, mayor, or city supervisor. (Ord. 81-15 §2, 1981; Ord. 81-10 §6, 1981; Ord. 80-34 §2, 1980).

1.26.030 Divisions in the Department of Public Services. This department shall consist of the director of public services, a division of recreation; a division of parks, a division of buildings and such temporary and permanent employees as the Council may provide by budget. (Ord. 85-14 §1, 1985; Ord. 81-15 §3, 1981; Ord. 81-10 §7, 1981).

1.26.040 Delegation of duties of the director. The director of public services may from time to time delegate certain duties to other employees of the department. However, such delegation shall not relieve the director of the responsibility of carrying out the duties of his/her office. (Ord. 81-15 §4, 1981; Ord. 81-10 §8, 1981; Ord. 80-34 §4, 1980).

1.26.050 Subordination to City Supervisor. The director of public services shall report to and receive supervision from the city supervisor concerning the administration of the department of public services. (Ord. 80-34 §5, 1980).

1.26.060 Communication procedure between city offices. Community policy direction shall be transmitted from the mayor and the City Council through the city supervisor to the director of public services. Recommendations and reports, as required, concerning policies and operations of the department of public services shall be transmitted to the city supervisor for submission to the mayor and City Council. (Ord. 80-34 §6, 1980).

1.26.070 Severability. The provisions of this Chapter are declared to be severable. If any section, subsection, sentence, clause, or phrase of this Chapter or its application to any person or circumstance is for any reason held to be invalid or unconstitutional, the remainder of the Chapter shall not as a result of said section, subsection, sentence, clause, or phrase be held unconstitutional or invalid. (Ord. 80-34 §7, 1980).

Chapter 1.28

City Supervisor

Sections:

1.28.010 Office continued--Appointment and removal--Scope of authority.

1.28.020 Duties, powers, and responsibilities.

1.28.030 Salary.

1.28.040 Combination of position.

1.28.010 Office continued--Appointment and removal--Scope of authority. There is continued the office of city supervisor, which office shall be filled by the appointment of the mayor, subject to confirmation by a majority of the City Council. The city supervisor shall be subject to removal by the mayor and shall serve at the pleasure of the mayor. The city supervisor shall be the administrative, assistant executive and liaison officer for the city, under the direction and authority of the mayor. (Ord. B-237 §2, 1975).

1.28.020 Duties, powers and responsibilities. The city supervisor shall have the following specific duties, powers, and responsibilities, in addition to others provided in this Chapter or otherwise:

(1) under the direction and authority of the mayor, he shall supervise, administer, and coordinate the activities and functions of the various city officers and departments in carrying out the requirements of city ordinances and the policies of the City Council, and to administer and supervise the carrying out of the decisions, regulations, and policies of the various city departments.

(2) he shall regularly report to the mayor concerning the status of all assignments, duties, projects, and functions of the various city offices and departments.

(3) he shall prepare and submit to the mayor the annual budget and be responsible for its

administration after adoption.

(4) he shall serve as personnel officer for the city, under the direction of the mayor.

(5) he shall supervise all purchasing by the various city offices, departments, commissions, and boards.

(6) he shall supervise all expenditures by the various city offices, departments, commissions and boards, for the purpose of keeping the same within the limitations of the annual budget of the city.

(7) he shall assist the mayor generally in conducting the city's business in all matters, and perform such other duties and assume such other responsibilities as the Council through the mayor may direct, or as by ordinances and resolutions of the City Council may be required. (Ord. B-237 §3, 1975).

1.28.030 Salary. The salary of the city supervisor shall be recommended by the Mayor and as approved by the City Council in the annual budget. (Ord. B-237 §4, 1975).

1.28.040 Combination of position. The office of city supervisor may be combined with any other appointive position in the city; provided, that where combined, the compensation shall be fixed by the Council for the combined office and shall not necessarily be the total of the compensation fixed for each office individually. (Ord. B-237 §5, 1975).

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Chapter 1.36

Police Department

Sections:

1.36.010 Police Chief--Position reestablished.

1.36.020 Police Chief--Responsibilities.

1.36.050 City marshal office abolished.

1.36.010 Police Chief--Position reestablished. The position of police chief is hereby reestablished. The police chief shall be appointed by the mayor, subject to the confirmation of the City Council. (Ord. 82-31 §2, 1982).

1.36.020 Police Chief--Responsibilities.

(1) The police chief shall be responsible for the administration, direction, and operation of police services including its auxiliary or ancillary functions in the areas of animal control, recordkeeping, communications, and dispatching of municipal emergency services.

(2) The police chief shall have such authority, rights, duties, and responsibilities as may be granted, directed or set forth by applicable federal, state, or municipal laws or regulations pertaining to law enforcement, maintaining the public peace and serving of criminal or civil process.

(3) The police chief shall employ such persons as may be necessary to assist in carrying out the responsibilities of the position. Those persons shall be employed for such positions as authorized by the annual budget or any amendments thereof and shall be compensated as provided for in the annual budget or any amendments thereof.

(4) The police chief shall report to and receive direction from the city supervisor; or in the absence of the city supervisor, from the authorized designee of the city supervisor.

(5) Any provisions of the Pullman City Code which refer to the director of public safety shall be deemed to mean the police chief when those provisions pertain to law enforcement, maintaining the public peace, transportation, or recordkeeping. (Ord. 82-31 §3, 1982).

1.36.050 City marshall office abolished. The offices of city marshal and deputy city marshal are abolished, and all the duties heretofore pertaining to said offices shall hereafter be performed by the chief of police and such deputies, police officers and watchmen as may be provided by ordinance. (Ord. 336 §4, 1917).

Chapter 1.37

Fire Department

Sections:

1.37.010 Fire Chief--Position reestablished.

1.37.020 Fire Chief--Responsibilities.

1.37.010 Fire Chief--Position reestablished. The position of fire chief is hereby reestablished. The fire chief shall be appointed by the mayor, subject to the confirmation of the City Council. (Ord. 82-32 §1(part), 1982).

1.37.020 Fire Chief--Responsibilities.

(1) The fire chief shall be responsible for the administration, direction, and operations of fire services.

(2) The fire chief shall have such authority, rights, duties, and responsibilities as may be granted, directed, or set forth by applicable federal, state, or municipal laws or regulations of ambulance service.

(3) The fire chief shall employ such persons as may be necessary to assist in carrying out the responsibilities of the position. Those persons shall be employed for such positions as authorized by the annual budget or any amendments thereof and shall be compensated as provided for in the annual budget or any amendments thereof.

(4) The fire chief shall report to and receive direction from the city supervisor; or in the absence of the city supervisor from the authorized designee of the city supervisor.

(5) Any provision of the Pullman City Code referring to the director of public safety shall be deemed to mean the fire chief when they pertain to fire suppression, fire prevention, or providing of ambulance service. (Ord. 82-32 §1(part), 1982).

Chapter 1.38

Police and Fire Department Civil Service System

Sections:

1.38.010 Civil service system--Established--Organization.

1.38.020 Civil service commission--Membership.

1.38.025 Removal from Office.

1.38.027 Court Review

1.38.030 Civil service commission--Powers and duties.

1.38.035 Failure to Attend Hearing.

1.38.040 Severability.

1.38.010 Civil service system--Established--Organization.

(1) There is established in the police and fire departments of the city a civil service system to be instituted and conducted in accordance with the requirements and plan of Chapter 13 of the Session Laws of 1937 of the state of Washington (R.C.W. Chapter 41.12) and Chapter 31 of the Washington Session Laws of 1935 (R.C.W. Chapter 41.08).

(2) The civil service shall include all uniformed full-time employees of the police and fire departments, except the chief of police and fire chief. This exception does not apply to the incumbents currently in the positions on the effective date of this ordinance.

(3) For the benefit of the public service, all persons presently holding a position of a uniformed officer in the police or fire department, when the ordinance codified in this Chapter takes effect, who shall have served in that position continuously for a period of at least six months immediately preceding the effective date of the ordinance codified in this Chapter, are automatically adopted and inducted permanently into the city of Pullman civil service system and into such office, place, position, or employment which such person then holds as completely and effectually to all intents and purposes as if such person has been permanently appointed thereto under civil service after examination and investigation. (Ord. 99-4 §1, 1999; Ord. 79-66 §1(part), 1979; Ord. 79-62 §1, 1979; Ord. 593 §1, 1937).

1.38.020 Civil Service Commission--Membership.

(1) There is created in the city a Civil Service Commission which shall be composed of three persons who have been residents of the city of Pullman for three years, are citizens of the United States, and are electors, who shall be appointed by the mayor of Pullman, and confirmed by the City Council.

(2) The Civil Service Commission as established in Ordinance 593 §2, 1937, shall also serve as the Civil Service Commission for the fire department.

(3) Those persons appointed to and sitting on the commission as of the effective date of the

ordinance codified in this Chapter, shall also serve as commissioners for the fire department civil service for the remainder of their term.

(4) Members of the Civil Service Commission shall serve without compensation. (Ord. 99-19 §1, 1999; Ord. 79-66 §1(part), 1979; Ord. 79-62 §2, 1979; Ord. 593 §2, 1937).

1.38.025 Removal from Office. Any member of the Commission may be removed from office for good cause, provided:

(1) Written charges have been preferred by the Mayor or any elector of the city.

(2) Notice containing the date, time, and place of a removal hearing are given to the Commissioner or delivered by registered mail at least ten days prior to the hearing of said charges before the City Council of the City, who has authority to remove a Commissioner from office.

(3) A majority vote of the Council shall determine whether the Commissioner shall be removed from office. (Ord. 99-19 §2, 1999)

1.38.027 Court Review. Any action on a removal of a Commissioner may be brought by appealing the decision to the Superior Court of Whitman County within ten (10) days from such final decision. The appellant shall bear the cost of transcribing and reproducing all records ordered certified by the court for such review. (Ord. 01-18 §1, 2002)

1.38.030 Civil Service Commission--Powers and duties. The Civil Service Commission of Pullman shall have all the duties and exercise all the powers provided in Chapter 13 of the Washington Session Laws of 1937 (R.C.W. Chapter 41.12); and Chapter 31 of the Washington Session Laws of 1935 (R.C.W. 41.08) as now or hereafter amended. Duties shall include, but not be limited to:

(1) Make rules and regulations as needed and make investigations concerning enforcement and efforts or provisions of these rules and regulations.

(2) Inspect institutions, departments, offices, places, and positions to determine if commission rules and regulations are being followed.

(3) Hear and rule on appeals and complaints about administrative work of the Secretary/Chief Examiner, or the rejection of applications, allocation of positions, and other matters referred to the commission within its jurisdictions.

(4) Issue or authorize the Secretary/Chief Examiner to issue subpoenas, determine whether discovery is available and to make other determinations for the fair and efficient conduct of proceedings before the Commission.

(5) Establish and monitor procedures for selection of new employees for the classified service and authorize provisional or temporary appointments. (Ord. 99-19 §3, 1999; Ord. 79-66 §1(part), 1979; Ord. 79-62 §3, 1979; Ord. 593 §2, 1937).

1.38.035 Failure to Attend Hearing. Any person who refuses without lawful excuse to attend any hearing or to produce material evidence in his/her possession or under his/her control as required by any subpoena issued by the Commission and served upon such person as provided herein shall be guilty of a misdemeanor. (Ord. 99-19 §4, 1999)

1.38.040 Severability. If any section, subsection, sentence, clause, or phrase of this Chapter shall for any reason be held to be invalid or unconstitutional such decision shall not affect the validity of the remaining portion of this Chapter. (Ord. 79-66 §1(part), 1979; Ord. 79-62 §4, 1979).

Chapter 1.40

Salaries of City Officers

Sections:

1.40.015 Mayor.

1.40.025 Councilmembers.

1.40.040 Other officers.

1.40.015 Mayor. Commencing January 1, 2008, the mayoral salary shall be seventeen thousand dollars per year. (Ord. 07-23 §1, 2007; Ord. 99-29 §1, 1999; Ord. 97-22 §1, 1997; Ord. 91-12 §1, 1991; Ord. 78-48 §1, 1978; Ord. B-230 §1, 1975; Ord. A-981 §2, 1971).

1.40.025 Councilmembers. Commencing January 1, 2010 each Councilmember shall be paid at the rate of three hundred dollars per calendar month. (Ord. 09-29 §1, 2009; Ord. 07-19 §1, 2007; Ord. 99-29 §2, 1999; Ord. 97-22 §2, 1997; Ord. 91-12 §2, 1991; Ord. 85-7 §1, 1985; Ord. 79-14 §1, 1979; Ord. A-981 §3, 1971).

1.40.040 Other officers. The respective salaries of other officers and employees of the city shall be that compensation as fixed or adopted in the city budget each calendar year for each officer or employee. Compensation shall begin with the month in which the budget becomes effective. (Ord. A-703 §4, 1967).

Chapter 1.44

Volunteer Firemen's Relief and Pension Fund Board of Trustees

Sections:

1.44.010 Established--Membership--Terms.

1.44.020 Officers--Records and reports.

1.44.030 Duties.

1.44.040 Powers.

1.44.010 Established--Membership--Terms. There is created and established a board of trustees for the administration of R.C.W. Chapter 41.24. The board shall consist of the mayor, the finance director, one councilperson selected by the mayor, the chief of the fire department, and one member of the fire department to be elected by the members of the fire department for a term of one year and annually thereafter. (Ord. 87-20 §1, 1987; Ord. 79-6 §1, 1979).

1.44.020 Officers--Records and reports. The mayor shall be the chairperson of the board of trustees. The finance director shall be the secretary treasurer of the board of trustees and shall keep a public record of all proceedings, of all receipts and disbursements made by the board, and shall make an annual report of its expenses and disbursements with a full list of the benefici-aries of said fund in the city. The report shall be placed on file in the office of the finance director. (Ord. 87-20 §2, 1987; Ord. 79-6 §2, 1979).

1.44.030 Duties. The duties of the board of trustees shall be as follows:

(1) To provide for enrollment of all members of its fire department under the death and disability provisions of R.C.W. Chapter 41.24;

(2) Receive all applications for enrollment under the retirement provisions of R.C.W. Chapter 41.24;

(3) Provide for disbursement of relief compensation;

(4) Determine the eligibility of firemen for pension;

(5) Pass on all claims and direct payment thereof from the Volunteer Firemen's Relief and Pension fund to those entitled thereto;

(6) Issue vouchers to all persons entitled thereto;

(7) Send to the State Board a voucher for each person entitled to payment which states the amount of the payment and for what granted. Said voucher shall be certified and signed by the chairperson and secretary of the board. (Ord. 87-20 §2, 1987; Ord. 79-6 §3, 1979).

1.44.040 Powers. The board of trustees shall have all such powers as are provided for in R.C.W. Chapter 41.24. (Ord. 79-6 §4, 1979).

Chapter 1.52

Parks and Recreation Commission*

Sections:

1.52.010 Created--Membership.

1.52.020 Duties.

1.52.030 Chairman, secretary-Minutes.

1.52.040 Meetings.

1.52.050 Meeting--Unexcused absences.

* For statute relating to appointive officers and employees, see R.C.W. 35A.42.020.

1.52.010 Created--Membership. There is created a Parks and Recreation Commission. The commission shall consist of seven members appointed by the Mayor with the consent of the

Council, from citizens of recognized fitness for such a position. The first appointed commissioners shall be appointed to fill terms as follows: three for one year; two for two years; two for three years. Thereafter, all appointments shall be for a term of three years. If a commissioner should resign before the expiration of his term, the Mayor, with consent of the Council, shall appoint a citizen to complete said term. (Ord. B-5 §1, 1972).

1.52.020 Duties. It shall be the duty of the Parks and Recreation Commission to act in an advisory capacity to the City Council in the management and development of park facilities and recreation programs. (Ord. B-5 §2, 1972).

1.52.030 Chairman, secretary--Minutes. The Parks and Recreation Commission shall select a chairman and a secretary from among its members. Minutes of each meeting shall (without limitation) contain its recommendations to the City Council. A copy of these minutes shall be forwarded to the city supervisor for delivery to the City Council. (Ord. B-5 §3, 1972).

1.52.040 Meetings. The commission shall hold one meeting each month upon a regularly scheduled date. All meetings of the commission shall be open to the public. (Ord. B-5 §4, 1972).

1.52.050 Meeting--Unexcused absences. In the event that any member has three consecutive unexcused absences from meetings, the member shall lose his or her position on the commission. (Ord. B-5 §5, 1972).

Chapter 1.53

Arts Commission

Sections:

1.53.010 Created—Membership.

1.53.020 Duties.

1.53.030 Chairman, secretary—Minutes.

1.53.040 Meetings.

1.53.050 Meeting—Unexcused absences.

1.53.010 Created--Membership. There is created an Arts Commission. The commission shall consist of nine members appointed by the Mayor with the consent of the Council, from individuals of recognized fitness for such a position. Commission membership shall consist of a majority of Pullman residents. The first appointed commissioners shall be appointed to fill terms as follows: three for one year; two for two years; two for three years. Thereafter, all appointments shall be for a term of three years. If a commissioner should resign before the expiration of his term, the Mayor, with consent of the Council, shall appoint an individual to complete said term. (Ord. 11-8 §1, 2011; Ord. 05-24 §2, 2005).

1.53.020 Duties. It shall be the duty of the Pullman Arts Commission to seek private donations and grants to acquire City Council approved art work and support the performing arts, and to act in an advisory capacity to the City Council in making recommendations pertaining to all forms of the arts. The Arts Commission shall propose policies on the display, acquisition, siting, documentation, conservation and administration of all forms of art to the City Council for review and adoption. (Ord. 05-24 §3, 2005).

1.53.030 Chairman, secretary--Minutes. The Arts Commission shall select a chairman and a secretary from among its members. Minutes of each meeting shall (without limitation) contain its recommendations to the City Council. A copy of these minutes shall be forwarded to the city supervisor for delivery to the City Council. (Ord. 05-24 §4, 2005).

1.53.040 Meetings. The commission shall hold one meeting each month upon a regularly scheduled date. All meetings of the commission shall be open to the public. (Ord. 05-24 §5, 2005).

1.53.050 Meeting--Unexcused absences. In the event that any member has three consecutive unexcused absences from meetings, the member shall lose his or her position on the commission. (Ord. 05-24 §6, 2005).

Chapter 1.54

Cemetery Committee

Sections:

1.54.010 Created—Membership.

1.54.020 Duties.

1.54.030 Chairman, secretary—Minutes.

1.54.040 Meetings.

1.54.050 Meeting—Unexcused absences.

1.54.010 Created--Membership. There is created a Cemetery Committee. The committee shall consist of five members appointed by the Mayor with the consent of the Council, from individuals of recognized fitness for such a position. The first appointed committee members shall be appointed to fill terms as follows: two for one year; two for two years; one for three years. Thereafter, all appointments shall be for a term of three years. If a committee member should resign before the expiration of his term, the Mayor, with consent of the Council, shall appoint an individual to complete said term. (Ord. 05-25 §2, 2005).

1.54.020 Duties. It shall be the duty of the Cemetery Committee to seek private donations and grants and provide input to the Parks and Recreation Commission relating to improvements at the city cemeteries. (Ord. 05-25 §3, 2005).

1.54.030 Chairman, secretary--Minutes. The Cemetery Committee shall select a chairman and a secretary from among its members. Minutes of each meeting shall (without limitation) contain its recommendations to the Parks and Recreation Commission. A copy of these minutes shall be forwarded to the city supervisor for delivery to the City Council. (Ord. 05-25 §4, 2005).

1.54.040 Meetings. The committee shall hold one meeting each month upon a regularly scheduled date. All meetings of the committee shall be open to the public. (Ord. 05-25 §5, 2005).

1.54.050 Meeting--Unexcused absences. In the event that any member has three consecutive unexcused absences from meetings, the member shall lose his or her position on the committee. (Ord. 05-25 §6, 2005). □

Chapter 1.55

Lawson Gardens Committee

Sections:

1.55.010 Created—Membership.

1.55.020 Duties.

1.55.030 Chairman, secretary—Minutes.

1.55.040 Meetings.

1.55.050 Meeting—Unexcused absences.

1.55.010 Created--Membership. There is created a Lawson Gardens Committee. The committee shall consist of five members appointed by the Mayor with the consent of the Council, from individuals of recognized fitness for such a position. The first appointed committee members shall be appointed to fill terms as follows: two for one year; two for two years; one for three years. Thereafter, all appointments shall be for a term of three years. If a committee member should resign before the expiration of his term, the Mayor, with consent of the Council, shall appoint an individual to complete said term. (Ord.05-26 §2, 2005).

1.55.020 Duties. It shall be the duty of the Lawson Gardens Committee to seek private donations and grants and provide input to the Parks and Recreation Commission relating to improvements at Lawson Gardens. (Ord.05-26 §3, 2005).

1.55.030 Chairman, secretary--Minutes. The Lawson Gardens Committee shall select a chairman and a secretary from among its members. Minutes of each meeting shall (without limitation) contain its recommendations to the Parks and Recreation Commission. A copy of these minutes shall be forwarded to the city supervisor for delivery to the City Council.

(Ord.05-26 §4, 2005).

1.55.040 Meetings. The committee shall hold one meeting each month upon a regularly scheduled date. All meetings of the committee shall be open to the public.(Ord.05-26 §5, 2005).

1.55.050 Meeting--Unexcused absences. In the event that any member has three consecutive unexcused absences from meetings, the member shall lose his or her position on the committee. (Ord.05-26 §5, 2005).

□

Chapter 1.56

Commission and Board Reports

Sections:

1.56.010 Reports required.

1.56.010 Reports required. It shall be the duty of the chairperson of each board and commission of the city to make a written report to the City Council at its first regular meeting in the month of June of each year. Such reports shall cover the financial status of the board or commission, where applicable, progress and future planning of the activities of each respective board and commission. (Ord. 07-21 §3, 2007;Ord. 87-21 §1, 1987; Ord. 80-11 §1, 1980; Ord. A-128 §1, 1949).

Chapter 1.68

Bond Issues

Sections:

1.68.011 Indebtedness.

1.68.011 Indebtedness. All general obligation bonds, revenue bonds, assessment bonds, interest bearing warrants and other evidence of indebtedness shall be authorized and issued in accordance with the Revised Code of Washington, as amended. (Ord. 81-60 §1, 1981).

Chapter 1.72

Voting Registration

Sections:

1.72.010 Location--Registration period.

1.72.020 Hours open for registration.

1.72.010 Location--Registration period.

(1) The Pullman City Hall-Community Center is designated as the permanent place of registration of electors within the city of Pullman.

(2) The City Council may, by resolution, authorize such other temporary places of registration for the temporary registration period, excepting Sundays, as they deem necessary.

(3) The finance director is authorized and directed to provide the necessary facilities for registration of electors at the locations designated by ordinance or resolution. (Ord. 07-14 §1, 2007; Ord. 87-27 §1, 1987; Ord. 81-49 §1, 1981; Ord. A-344 §1, 1958).

1.72.020 Hours open for registration. Registration officers shall keep their respective offices open for registration of electors during the days and hours when the same are open for the transaction of public business. (Ord. 81-49 §2, 1981; Ord. A-344 §2, 1958).

Chapter 1.74

Ordinance Enactment Procedure

Sections:

1.74.010 Designated.

1.74.010 Designated. All ordinances and resolutions shall be passed upon one reading except where otherwise required by law. All ordinances and resolutions shall be read in full before a vote is taken thereof, providing however, that an ordinance and a resolution can be read by title only with a resume of its contents with the unanimous approval of the Council, and provided that no member of the public in attendance requires a reading of such ordinance or resolution in full.

No ordinance or resolution granting any franchise for any purpose shall be governed by this section. (Ord. B-118 §1, 1974).

Chapter 1.76

City Wards

Sections:

- 1.76.010 City Council representation.
- 1.76.020 Councilmember--Election.
- 1.76.030 Boundaries.
- 1.76.040 Wards for future annexations.

1.76.010 City Council representation. The city of Pullman shall be and the same is hereby divided into three wards and the same shall be known as the first ward, second ward, and third ward, respectively. Each ward shall be represented on the City Council by two councilmembers and there shall be one councilmember elected at large. (Ord. 85-23 §1, 1985; Ord. A-974 §2, 1971).

1.76.020 Councilmembers--Election. All councilmembers shall be elected for a term of four years. The nomination and election of each councilmember, except the councilmember-at-large, shall be by the electors residing within the ward which such councilmember represents. (Ord. 85-23 §2, 1985; Ord. A-974 §3, 1971).

1.76.030 Boundaries. Ward No. 1 of the city of Pullman shall consist of the following described area of the city:

Beginning at the intersection of the northerly city limits of the City of Pullman with Grand Avenue; then southerly along Grand Avenue to its intersection with Stadium Way; then west along Stadium Way to its intersection with Hall Drive; then northwesterly along Hall Drive to its intersection with Timothy Street; then westerly along Timothy Street to its intersection with State Street; then northwesterly along State Street to its terminus at the section line between Sections 31 and 32, Tier 15 North, Range 45 East, Willamette Meridian; then S.00°01' W. along said common section line, 122.23 feet to the quarter-corner of said Sections 31 and 32; then N89°30'W, 1644.94 feet along the center-line of said Section 31, to its intersection with the centerline of Douglas Drive; then southerly along Douglas Drive to its intersection with Darrow Street; then easterly along Darrow Street to its intersection with Clifford Street; then southerly along Clifford Street to its intersection with Harrison Street; then easterly along Harrison Street to its intersection with Ritchie Street; then southerly along Ritchie Street to its intersection with Grand Avenue; then northeasterly along Grand Avenue to its intersection with Stadium Way; then easterly along Stadium Way to its intersection with Monroe Street; then southerly along Monroe Street to its intersection with California Street; then west along California Street to its intersection with Ruby Street; then southwesterly along Ruby Street to its intersection with Colorado Street; then west along Colorado Street to its intersection with Maple Street; then south along Maple Street to its intersection with Ash Street; then west along Ash Street to its intersection with Kamiaken Street; then south along Kamiaken Street to its intersection with Whitman Street; then northwesterly along Whitman Street to its intersection with the Palouse & Coulee City Railroad; then southerly along the Palouse & Coulee City Railroad to its intersection with Kamiaken Street; then southwestly along Kamiaken Street to its intersection with the Blue Mountain Railroad; then easterly along the Blue Mountain Railroad to its intersection with Spring Street; then southwesterly and southerly along Spring Street to its intersection with South Street; then easterly along South Street to its intersection with Side Street; then southerly along Side Street to its intersection with Dexter Street; then westerly along Dexter Street to its intersection with Spring Street; then southerly along Spring Street to its intersection with Grant Street; then westerly along Grant Street to its intersection with Kamiaken Street; then southerly along Kamiaken Street to its intersection with Crestview Street; then westerly along Crestview Street to its intersection with Grand Avenue; then southerly along Grand Avenue to its intersection with the southerly city limits line of the City of Pullman (at Fairmount Road); then westerly and continuing along said city limits line in a clockwise direction around the City of Pullman to the intersection of said city limits line and Grand Avenue, said point being the point of beginning.

Ward No. 2 of the city of Pullman shall consist of the following described area of the city:

Beginning at the intersection of the northerly city limits of the City of Pullman with Grand Avenue; then southerly along Grand Avenue to its intersection with Stadium Way; then west along Stadium Way to its intersection with Hall Drive; then northwesterly along Hall Drive to its intersection with Timothy Street; then westerly along Timothy Street to its intersection with State Street; then northwesterly along State Street to its terminus at the section line between Sections 31 and 32, Tier 15 North, Range 45 East, Willamette Meridian; then S.00°01'W., along said common section line, 122.23 feet to the quarter-corner of said Sections 31 and 32; then N89°30'W. 1644.94 feet along the center-line of said Section 31, to its intersection with the centerline of Douglas Drive; then southerly along Douglas Drive to its intersection with Darrow Street; then easterly along Darrow Street to its intersection with Clifford Street; then southerly along Clifford Street to its intersection with Harrison Street; then easterly along Harrison Street to its intersection with Ritchie Street; then southerly along Ritchie Street to its intersection with Grand Avenue; then northeasterly along Grand Avenue to its intersection with Stadium Way; then east along Stadium Way to its intersection with Monroe Street; then south along Monroe Street to its intersection with California Street; then west along California Street to its intersection with Ruby Street; then south along Ruby Street to its intersection with Colorado Street; then southeasterly and easterly along Colorado Street to its intersection with "D" Street; then northerly along "D" Street to its intersection with Shaw Street; then easterly along Shaw Street to its intersection with Lake Street; then northerly along Lake Street to its intersection with Stadium Way; then easterly along Stadium Way to its intersection with Lybecker Road; then northerly along Lybecker Road to its intersection with Upper Drive; then northeasterly along Upper Drive to its intersection with Wheatland Drive; then westerly along Wheatland Drive to its intersection with Hillside Drive; then northerly along Hillside Drive to its intersection with Valley Road; then easterly along Valley Road to Orchard Drive; then continuing easterly on easterly extension of Valley Road to Nez Perce Drive; then northerly on Nez Perce Drive to Terre View Drive; then easterly on Terre View Drive to the east line of Section 33; then northerly on said east line of Section 33 to the northerly city limits line; then westerly and continuing along said city limits line in a counterclockwise direction to its intersection with Grand Avenue, said point being the point of beginning.

Ward No. 3 of the city of Pullman shall consist of the following described area of the city:

Beginning at the intersection of Grand Avenue and the southerly city limits line of the City of Pullman (at Fairmount Road); then easterly and continuing along said city limits line in a counter-clockwise direction to a point on said city northerly limits line where the east boundary and north boundary of Section 33, Township 15 N., Range 45 E.W.M. intersect; then due south

along the east boundary of said Section 33 to the easterly extension of Terre View Drive; then westerly along Terre View Drive to its intersection with Nez Perce Drive; then southerly along Nez Perce Drive to its intersection with the easterly extension of Valley Road; then easterly on Valley Road to its intersection with Hillside Drive; then southerly on Hillside Drive to its intersection with Wheatland Drive, thence easterly along Wheatland Drive to its intersection with Upper Drive; then westerly along Upper Drive to its intersection with Lybecker Road; then southerly along Lybecker Road to its intersection with Stadium Way; then westerly along Stadium Way to its intersection with Lake Street; then southerly along Lake Street to its intersection with Shaw Street; then westerly along Shaw Street to its intersection with "D" Street; then southerly along "D" Street to its intersection with Colorado Street; then westerly along Colorado Street to its intersection with Maple Street; then southerly along Maple Street to its intersection with Ash Street; then westerly along Ash Street to its intersection with Kamiaken Street; then southerly along Kamiaken Street to its intersection with Whitman Street; then westerly along Whitman Street to its intersection with the Palouse & Coulee City Railroad; then southerly along the Palouse & Coulee City Railroad to its intersection with Kamiaken Street; then southerly along Kamiaken Street to its intersection with the Blue Mountain Railroad; then easterly along the Blue Mountain Railroad to its intersection with Spring Street; then southwesterly and southerly along Spring Street to its intersection with South Street; then easterly along South Street to its intersection with Side Street; then southerly along Side Street to its intersection with Dexter Street; then westerly along Dexter Street to its intersection with Spring Street; then southerly along Spring Street to its intersection with Grant Street; then westerly along Grant Street to its intersection with Kamiaken Street; then southerly along Kamiaken Street to its intersection with Crestview Street; then westerly along Crestview Street to its intersection with Grand Avenue; then southerly along Grand Avenue to its intersection with the southerly city limits line of the City of Pullman (at Fairmount Road), said point being the point of beginning. (Ord. 02-3 §2, 2002; Ord. 95-14 §1, 1995; Ord. 92-2 §1, 1992; Ord. 86-19 §1, 1986; Ord. A-974 §4, 1971).

1.76.040 Wards for future annexations. All properties and areas hereafter annexed to the city of Pullman shall, upon such annexation, become a part of the ward described and named in this Chapter to which said annexed area is adjacent. (Ord. A-974 §5, 1971).

Chapter 1.80

Fees for Services

Sections:

- 1.80.010 Fees for services to the public authorized.
- 1.80.020 Fees to be set by resolution.
- 1.80.030 Collection of fees.
- 1.80.040 Transcripts and records of public proceedings.

1.80.010 Fees for services to the public authorized. The city is authorized to charge fees to members of the public for services provided. The term "services" shall include the following:

- (1) Inspection of Criminal History Information pursuant to R.C.W. Chapter 10.97 as it now exists or is hereafter amended;
- (2) Clearance letters for immigration or visa checks;
- (3) Copies of documents, reports, or other records capable of being photocopied;
- (4) Provisions of ozalid blueprints;
- (5) Provision of sepia reproducible copies;
- (6) Copies of zoning maps;
- (7) Fingerprinting for civilians;

(8) Services of process in civil suits;

(9) Issuance or renewal of concealed weapon permits.

(Ord. 81-63 §2(part), 1981).

1.80.020 Fees to be set by resolution. The fees authorized by Pullman City Code Section 1.80.010 shall be established and adjusted from time to time by resolution of the City Council. (Ord. 81-63 §2(part), 1981).

1.80.030 Collection of fees. Collection of fees for services authorized in Pullman City Code Section 1.80.010 shall be the responsibility of the department providing the service. All fees collected shall be receipted for and forwarded to the finance director for deposit in the general fund. (Ord. 81-63 §2(part), 1981).

1.80.040 Transcripts and records of public proceedings.

(1) Any person or party desiring or having a need for a transcript of any public proceeding held by or before any committee, board or commission of the city of Pullman shall be provided only with an electronic duplicate copy of the electronically recorded transcript thereof. Prior to delivery to said person or party of the electronic duplication of the electronically recorded transcript, the person or party requesting the transcript shall reimburse the city for costs incurred by the city of Pullman in providing the requested transcript in such amount as may be established by resolution of the City Council.

(2) Whenever any statute, ordinance, rule or order requires that a transcript of any meeting, hearing or other public proceeding, or portions thereof, held by or before any committee, board or commission of the city of Pullman shall be provided for the purpose of review of the meeting, hearing or proceeding, or portions thereof, the cost of the transcript shall be borne by the appellant, or the person or party requesting the transcript; and, the city of Pullman shall be responsible for providing only an electronic duplication of all of, or a portion of, the electronically recorded transcript. The city of Pullman will not review any tape recording so as to provide only

selected portions of a tape recording. The costs for providing such an electronic duplication of the electronically recorded transcript shall be the same as set forth in subsection (1) of this section and shall be paid prior to delivery.

(3) Whenever a written transcript of any meeting, hearing, or other public proceeding, or portions thereof, held by or before any committee, board or commission of the city of Pullman is requested for an appeal, review, or any purpose by a person or party, or pursuant to a statute, ordinance, rule or order then the cost of providing the requested transcript shall be borne by the appellant, or the person or party requesting the written transcript. The fee for providing the written transcript shall be established by resolution of the City Council.

The provisions of this subsection (3) do not discourage the use of official court reporters and any person or party having reason to believe that a written transcript of any meeting, hearing or other public proceeding or portion thereof, held by or before any committee, board or commission of the city of Pullman will be needed for the purpose of appeal or review is encouraged to use the services of official court reporters at their own expense.

(4) Whenever one committee, board or commission of the city of Pullman is reviewing the action of another committee, board or commission of the city of Pullman a taped or written transcript may be used. If a taped transcript is used there shall be no fee for providing the taped transcript. If a taped transcript is to be reviewed, a record shall identify the location on the taped transcript of testimony and evidence to be reviewed. Parties are encouraged to designate only those portions of the testimony necessary to present the issues raised on review, but if a party alleges that a finding of fact is not supported by evidence, the party should include in the record all evidence relevant to the disputed finding. Any other party may designate additional portions of the taped transcript relating to issues raised on review. Any person or party may provide a written transcript of portions of the testimony at their own expense or apply to the court for an order requiring the person or party seeking review to pay for additional portions of the written transcript.

(5) Whenever copies of part or all of the record in addition to the transcript of any meeting, hearing or proceeding held by or before any committee, board or commission of the city of Pullman is requested or required for an appeal, review or any purpose by a person or party, or pursuant to a statute, ordinance, rule, or order the cost of providing copies of the requested record or portion thereof shall be borne by the appellant, or the person or party making the request.

(6) Transcripts and records referred to in subsections (1) through (5) of this section may be certified by the appropriate city official upon the payment of such fees as may be established by resolution of the City Council. (Ord. 84-7 §1, 1984).

Chapter 1.84

City Cemetery

Sections:

- 1.84.010 Cemetery committee established.
- 1.84.020 Cemetery defined.
- 1.84.030 Method of operation.
- 1.84.040 Duties and powers of committee.
- 1.84.050 Budget.
- 1.84.060 Double use of grave.
- 1.84.080 Grave decorations.
- 1.84.090 Monument and marker restrictions.
- 1.84.100 Fences prohibited.
- 1.84.110 Placement of markers and monuments.
- 1.84.120 Employees.
- 1.84.130 Disposition of moneys.
- 1.84.150 Containers.
- 1.84.160 Baby graves.
- 1.84.170 Alley burials.
- 1.84.180 Burial permits.
- 1.84.190 Severability.

1.84.010 Cemetery committee established. The Parks and Recreation Commission duties shall include acting as a cemetery committee. (Ord. 81-25 §1, 1981; Ord. A-584 §1, 1965).

1.84.020 Cemetery defined. All cemeteries owned and controlled by the city of Pullman with the exception of Farr Cemetery which is also known as Pioneer Cemetery are herein designated and included where the term "cemetery" as used in this Chapter and Chapter 68.04 RCW. (Ord. 99-8 §1, 1999; Ord. 81-25 §2, 1981; Ord. A-584 §2, 1965).

1.84.030 Method of operation. All cemeteries owned and operated by the city of Pullman are endowment care cemeteries for human remains. (Ord. 99-8 §2, 1999; Ord. A-584 §3, 1965).

1.84.040 Duties and powers of committee. The cemetery committee shall advise the City Council on the management, operation, and control of the cemeteries owned or operated by the city of Pullman. The City Council shall fix by resolution, from time to time, the sale price for all services rendered in connection with the operation of the cemetery.

The cemetery committee may advise the City Council on rules and regulations for the use, care, and maintenance of the cemetery; it shall from time to time review the investment of all moneys available for that purpose, including the investment for the endowment care fund. (Ord. 89-2 §1, 1989; Ord. 81-25 §3, 1981; Ord. A-584 §4, 1965).

1.84.050 Budget. The park superintendent shall annually prepare a budget for the cemetery which shall be submitted for approval by the director of public services. This budget shall be prepared in time to be included in the annual city budget for all of its departments. (Ord. 81-25 §4, 1981; Ord. A-584 §5, 1965).

1.84.060 Double use of graves. In any area designated as a cremation area, the cremated remains of two persons may be placed in one adult gravesite; or, the cremated remains of one person can be placed in the same adult gravesite where a casket burial has taken place or is contemplated to take place; provided, however, that in each of these cases only one grave marker shall be allowed for such a grave. Double depth graves are permitted; provided, the proper liner or vault devices are utilized. (Ord. 81-25 §5, 1981; Ord. A-584 §10, 1965).

1.84.080 Grave decorations. Planter boxes, natural and artificial flowers and other grave decorations shall be allowed upon or about a grave or burial plot for a period of five days immediately following a burial. No plantings shall be allowed upon or about a grave or burial plot unless officially authorized in writing by the director of public services or a designee of the

director. Natural and artificial flowers or grave decorations are permitted at all times from November 1st through March 31st when placed in a cup recessed in the foundation of the grave marker or monument of appropriate dimensions. If there is no grave marker or monument then a concrete slab constructed in accordance with the provisions of this Chapter may be installed flush with the surface of the ground at a grave or burial plot within which shall be placed a recessed cup; provided, however, that such installation shall be done by a retail monument dealer or someone acting for a retail monument dealer. The recessed cup shall be of commercial manufacture specifically designed for cemetery use. Hanging baskets may also be installed. Natural flowers will be allowed at all times as long as the requirements of this section are followed.

Wire shall not be used to hold natural or artificial flowers in place. Glass containers shall not be used at any time. Cemetery maintenance personnel shall remove and discard all flowers and grave decorations when, in their judgment, the flowers or decorations have deteriorated in beauty, or upon the sixth day after a burial, or if the decorations hamper maintenance operations. (Ord. 81-25 §6, 1981; Ord. A-584 §12, 1965).

1.84.090 Monument and marker restrictions. Monument or grave markers are permitted in cemeteries with the following exceptions:

(1) In the cemeteries known as Fairmount, I.O.O.F., and in blocks 3 and 7, inclusive of the cemetery known as A.O.U.W., grave markers not exceeding eight inches in height are permitted.

(2) In block 1 of the cemetery known as A.O.U.W., one monument is permitted for each family plot of not less than four graves; provided, however, that said monument shall not exceed four feet in height.

(3) Grave markers and monuments are permitted in the old sections of a cemetery where in the past grave markers exceeding eight inches in height have been permitted.

(4) Baby graves or cremations in lot 73 of the I.O.O.F. cemetery shall have markers no larger than twelve inches by eight inches.

(5) No markers or monuments shall be placed without authorization of the director of public services or the designee of the director.

(6) Every grave marker or monument permitted in any cemetery shall be set in a foundation of concrete. The top surface of the concrete foundation shall be flush with the surface of the ground.

(7) The concrete foundation referred to in subsection (6) above, shall not be less than six inches in thickness and of sufficient size so that the outside six inches of the foundation is unobstructed and the wheel of a lawnmower may run upon and around the surface of the concrete foundation without coming in contact with the flowers, artificial flowers, or grave decoration upon the foundation.

(8) Every grave marker or monument permitted in any cremation area, except Section 1C of City Cemetery shall be set so that the top of such grave marker or monument is flush with the surface of the surrounding ground. (Ord. 07-13 §1, 2007; Ord. 87-22 §1, 1987; Ord. 82-28 §1, 1982; Ord. 81-25 §7, 1981; Ord. A-584 §13, 1965).

1.84.100 Fences prohibited. No fences or walls made of any kind of material shall be placed in, around or upon any graves or burial plot in any cemetery. (Ord. 81-25 §8, 1981; Ord. A-584 §14, 1965).

1.84.110 Placement of markers and monuments. All grave markers shall be placed and set by a retail monument dealer or by someone acting for a retail monument dealer. The city will not set grave markers; except, when the city receives a grave marker for placement from a party desiring to have a grave marker placed on a certain grave, and the party providing the grave marker does not reside within a one hundred fifty air-mile radius of the city of Pullman. Then and in that event the city may, if requested, place and set the marker subject to the costs and fees for doing so being paid in advance. Such markers must be set in cement and ready for installation upon receipt by the city.

All monuments and markers shall be placed and set in a manner that meets the approval of the director of public services or his or her designee. (Ord. 85-16 §1, 1985; Ord. 81-25 §9, 1981; Ord. A-584 §15, 1965).

1.84.120 Employees. The department of public services will furnish the necessary employees to work in or about any cemetery, and they shall be supervised by the director of public services. (Ord. 81-25 §10, 1981; Ord. A-584 §16, 1965).

1.84.130 Disposition of moneys. All moneys paid by any person to a sexton for work done in the cemetery or for purchases made through the sexton shall be accounted for by the sexton and paid to the city finance department. (Ord. 81-25 §11, 1981; Ord. A-584 §17, 1965).

1.84.150 Containers. No burial shall take place in the cemetery without a concrete or metal liner or vault of a type and kind that meets with the approval of the cemetery committee; provided, however, that the cremated remains may be buried in an urn or a concrete or metal container that meets with the approval of the cemetery committee. (Ord. A-584 §19, 1965).

1.84.160 Baby graves. The Parks and Recreation Commission, acting as the cemetery committee, may by resolution designate certain lots for use as baby graves. (Ord. 81-25 §12, 1981; Ord. A-584 §20, 1965).

1.84.170 Alley burials. Burials in alleys, which are the spaces between rows and columns of graves or sites to be used as graves and which spaces are designed to be used as walkways, shall not be permitted. (Ord. 81-25 §13, 1981).

1.84.180 Burial permits. Burial permits shall be administered in accordance with the laws of the state of Washington. No burial shall take place without the proper permit having first been obtained and presented to the sexton of a cemetery or proper designee. (Ord. 81-25 §14, 1981).

1.84.190 Severability. If any section, part of section, sentence, clause, or phrase of this Chapter shall be held to be unconstitutional or invalid, the remaining provisions of this Chapter shall nevertheless remain in full force and effect. (Ord. 81-25 §15, 1981).

Chapter 1.88

Urban Forestry

Sections:

- 1.88.010 Purpose.
- 1.88.020 Definitions.
- 1.88.030 Establishment of Urban Forestry Advisory Commission.
- 1.88.040 Appointment of municipal arborist - duties and powers.
- 1.88.050 Removal, replacement, and maintenance.
- 1.88.060 Planting on private property.
- 1.88.070 Topping - prohibited.
- 1.88.080 Protection of trees.
- 1.88.090 Prohibited trees.
- 1.88.100 Procedure for enforcement. Penalties. Enforcement personnel.

1.88.010 Purpose. To encourage the preservation, expansion, protection, and maintenance of community trees. (Ord. 97-36 §1, 1997).

1.88.020 Definitions.

(1) "Maintenance" means the act of pruning (limbs larger than one inch in diameter on small trees {25= or smaller}, or larger than 2 inches in diameter on medium or large trees {over 25=}),

cutting, guying or cabling, etc., of trees or shrubs located in or hanging over the public right-of-way, provided that such pruning be done as to retain the normal canopy and natural figure of the tree or shrub. The pruning of dead limbs is permissible any time.

(2) "Municipal arborist" means that person appointed by the City Council to carry out the provisions of this chapter.

(3) "Public right-of-way" means the platted portion of a subdivision used for purposes of a street or alley that may not be approved for vehicular traffic.

(4) "Replacement tree" means a one and one-half to two inch Breast Height Diameter (BHD) for shade trees and a one inch Breast Height Diameter for flowering ornamentals or equivalent if approved by the municipal arborist. (Ord. 97-36 §2, 1997).

1.88.030 Establishment of Urban Forestry Advisory Commission. The Parks and Recreation Commission will serve as the Urban Forestry Advisory Commission. (Ord. 97-36 §3, 1997).

1.88.040 Appointment of the municipal arborist - duties and powers.

(1) The municipal arborist for the city shall be the Parks Superintendent.

(2) The municipal arborist shall have full authority and jurisdiction to promulgate the rules and regulations of the arboricultural specifications and standards of practice, as adopted by the Commission regarding planting, maintenance, removal, or bracing of trees and shrubs in the public right-of-way. (Ord. 97-36 §4, 1997).

1.88.050 Removal, replacement, and maintenance. Owners of adjoining property to the public right-of-way may plant trees or shrubbery in the public right-of-way with the approval of the municipal arborist, except as follows:

(1) No tree or shrub which is greater than three feet in height shall be planted within six feet of the face of the curb on any street. Height of trees or shrubs shall be measured as the height above the top of the curb.

(2) No existing street or sidewalk pavement may be cut for the planting of trees or shrubs unless the municipal arborist has approved such pavement cutting.

(3) Maintenance of trees and shrubs shall be the responsibility of the adjoining property owners. Trees and shrubs shall be pruned and maintained as necessary to provide the minimum sight distances for streets.

No tree growing within the public right-of-way shall be removed without the approval of the municipal arborist if the trunk of the tree is greater than four inches in diameter measured at a point 12 inches above the ground or if the height of the tree exceeds 20 feet. Approved replacement trees will be required to be planted. Smaller trees and shrubs may be removed by the owner of the adjoining property without approval of the municipal arborist.

Trees and shrubs overhanging a public street and/or sidewalk shall be pruned to maintain an unobstructed clearance the full width of the pavement or sidewalk, 7 feet above the sidewalk and 16.5 feet above the street as outlined in the City of Pullman's Standard Construction and Design Standards. (Ord. 97-36 §5, 1997).

1.88.060 Planting on private property. Private planting is encouraged, refer to Pullman City Code Chapter 17.45 for special conditions. (Ord. 97-36 §6, 1997).

1.88.070 Topping - prohibited. Topping of street trees shall be prohibited except in cases of emergencies. Topping may occur when circumstances or conditions pose an immediate threat to utility systems, public or private property, or the welfare of persons residing or traveling near the tree. (Ord. 97-36 §7, 1997).

1.88.080 Protection of trees.

(1) All trees located in the public right-of-way shall be protected during all construction or excavation work by a substantial fence, frame, or box not less than four feet high and eight feet square, or the distance in feet from the tree equal to the diameter of the trunk in inches Breast Height Diameter, whichever is greater, and all building materials, dirt, or other debris shall be kept outside the barrier.

(2) No person shall excavate any ditch, tunnel, trench, or lay any driveway or make a curb cut within a radius of ten feet of any street tree without first seeking approval from the municipal arborist.

(3) Definition and retention of significant trees (See: Chapter 17.45.070). (Ord. 97-36 §8, 1997).

1.88.090 Prohibited trees. Some tree varieties are prohibited within the public right-of-way or near utility lines. Replacement trees within the public right-of-way must be approved by the municipal arborist. (Ord. 97-36 §9, 1997).

1.88.100 Procedure for enforcement. Penalties. Enforcement Personnel. Upon determination by the municipal arborist that a violation of Section 1.88.050, 1.88.060, 1.88.070, 1.88.080, or 1.88.090 has occurred, the procedure shall be enforced as follows:

(1) Warning. An enforcement officer may issue a written warning notifying the responsible person that probable cause exists that a violation has occurred and warn that if subsequent violations of 1.88.050, 1.88.060, 1.88.070, 1.88.080, or 1.88.090 occur, a notice of violation will be issued to a person responsible for the violation.

(2) Notice of violation. If a violation of Sections 1.88.050, 1.88.060, 1.88.070, 1.88.080, or 1.88.090 has occurred, and the enforcement officer has probable cause to believe a violation has occurred, the enforcement officer may, without the need for a warning, issue a notice of violation to the person responsible for the violation.

(a) A person receiving a notice of violation shall have ten (10) calendar days to appeal the notice of violation to the city's hearing officer by filing the appeal with the Director of Public Services.

(b) If the person to whom a notice of violation is issued fails to appeal, then a notice of infraction shall be issued.

(c) The hearing shall be informal. At the conclusion of the hearing, the Director, or designee, shall provide a written decision and the reasons therefore. The decision of the Director, or designee, may cancel the violation, mitigate the violation, or issue a Notice of Infraction.

(3) Notice of infraction.

(a) For a first infraction of a provision of this Chapter as set forth in subsection (2), the infraction shall be a Class 3 civil infraction as classified in Section 1.02.020 Pullman City Code for the purpose of determining the amount of a penalty forfeiture.

(b) For a second infraction of the same provision of this Chapter as set forth in subsection (2) be a Class 2.5 civil infraction as classified in Section 1.02.020 Pullman City Code for the purpose of determining the amount of a penalty forfeiture.

(c) Third and subsequent infractions of the same provision of this Chapter as set forth in subsection (2) shall be a Class 2 civil infraction as classified in Section 1.02.020 Pullman City Code for the purpose of determining the amount of each penalty forfeiture.

(4) Enforcement Personnel. Enforcement of the penalty provisions of this section may be by any police officer or an enforcement officer. (Ord. 97-36 §10, 1997).

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Chapter 1.96

Finance Department and Director

Sections:

- 1.96.010 Department created--Supervision--Director-- Appointment.
- 1.96.020 Conducting department--Finance Director as City Clerk and City Treasurer.
- 1.96.030 General duties of the Finance Director.
- 1.96.040 Additional duties.
- 1.96.045 Appointment of deputy clerk.
- 1.96.050 Director--Budget duties.
- 1.96.060 Director--Accounting system.
- 1.96.070 Severability.

1.96.010 Department created--Supervision--Director--Appointment. There is hereby established and created a department of the government of the city to be called the finance department. Such department shall be under the supervision of the finance director. The finance director shall be appointed by the mayor, subject to confirmation by a majority vote of the City Council. (Ord. A-888 §1, 1970).

1.96.020 Conducting department--Finance Director as City Clerk and City Treasurer. Subject to the provisions of the general law of the state of Washington, the finance director, shall conduct and operate the finance department.

Pursuant to R.C.W. 35A.12.020, the office of the city clerk and city treasurer are merged and

the finance director shall perform or see to the performance of all duties and functions and shall exercise all prerogatives, powers, and authorities of the office of city clerk and city treasurer, as set forth in any law, ordinance, rule or regulation currently existing or hereafter enacted. (Ord. 85-25 §1, 1985; Ord. B-289 §2, 1976).

1.96.030 General duties of the finance director. The director of finance shall:

(1) attend all regular and special meetings of the City Council and keep a record of the Council's proceedings, including those at executive sessions, in a book furnished for that purpose;

(2) authenticate by his or her signature and record in a properly indexed book all ordinances, bylaws, and resolutions passed by the City Council and shall also cause after adoption every ordinance, or a summary thereof, to be published at least once in the city's official newspaper;

(3) at least on a quarterly basis, submit to the City Council and the Mayor a report showing the expenditures and liabilities against each separate budget appropriation incurred during the preceding reporting period and like information for the whole of the current fiscal year to the first day of the current reporting period together with the unexpended balance of each appropriation. The report shall also show the receipts from all sources;

(4) under the control of the Mayor, have charge of the city seal, and shall affix the same to all licenses and documents requiring authentication; and issue licenses, when so required by law; and there shall be kept a record in which shall be entered the names of persons to whom licenses have been granted, dates of issue and termination and the amount received;

(5) maintain the general accounting system in conformity with generally accepted practices in governmental accounting, and shall conform with all regulations prescribed for cities by the Division of Municipal Corporations of the office of the State Auditor. Each department and office of the city shall maintain accounts and records of financial transactions in the manner prescribed by the finance director;

(6) register qualified voters of the city of Pullman, appoint such temporary registrars as he or

she deems necessary, and prepare statements of cancellation of registration;

(7) attest deeds, leases, contracts, bonds and other documents when authorized by the City Council and file or record documents with the county auditor, Secretary of State, or other governmental authorities as required by law;

(8) act as the city auditor; and shall exercise general supervision over and audit the books and accounts of the city;

(9) have authority to sign checks drawn on city funds, and invest, redeem and provide for safekeeping of securities and investments;

(10) be responsible for the compilation of the general governmental budget. The budget shall be prepared in the manner and form and at the time required by R.C.W. Chapter 35A.33; and shall maintain continuous budgetary control of the expenditures of the several departments of the city government. (Ord. 91-14 §1, 1991; Ord. 85-25 §2, 1985; Ord. A-888 §3, 1970).

1.96.040 Additional duties. The finance director shall also perform the following duties:

(1) Give notice of public hearings before the City Council as provided for by law;

(2) Certify city streets as part of the highway system in accord with R.C.W. 47.24.010;

(3) Serve as secretary-treasurer of volunteer fireman's relief and pension board;

(4) Any other duties as required by law. (Ord. 85-25 §3, 1985; Ord. A-888 §4, 1970).

1.96.045 Appointment of deputy clerk. The finance director is authorized to appoint a city employee as deputy clerk. The deputy clerk shall have such power and authority to perform all duties delegated to him or her by the finance director. However, such delegation shall not relieve the appointed finance director from the responsibility of carrying out the duties of the office. When signing any document, the deputy clerk shall sign the name of the finance director followed by the word "By" and the deputy clerk's own name and the words "Deputy Clerk." (Ord. 85-25 §4, 1985).

1.96.050 Director--Budget duties. The finance director shall be responsible for the compilation of the general governmental budget. The budget shall be prepared in the manner and form and at the times required by and in cooperation with the city supervisor.

The finance director shall maintain continuous budgetary control of the expenditures of the several departments of the city government. (Ord. A-888 §5, 1970).

1.96.060 Director--Accounting system. The general accounting system employed by the finance director shall be in conformity with the best required practices in governmental accounting, and shall conform with all regulations prescribed for cities by the Division of Municipal Corporation of the office of the State Auditor. Each department and office of the city shall maintain accounts and records of financial transactions in the manner prescribed by the finance director. (Ord. A-888 §6, 1970).

1.96.070 Severability. If any section, subsection, sentence, clause, or phrase of this Chapter or its application to any person or circumstance is for any reason held to be invalid or unconstitutional, the remainder of the ordinance codified in this Chapter shall not as a result of said section, subsection, sentence, clause, or phrase be held unconstitutional or invalid. (Ord. 85-25 §5, 1985).

Chapter 1.98

Demands Against the City

Sections:

- 1.98.010 [Presentation--Warrant--Payment](#) .
- 1.98.020 [Claims for damages against the City--Filing](#) .
- 1.98.030 [Claims for damages--Procedure](#) .

1.98.010 Presentation--Warrant--Payment. Pursuant to the provisions of R.C.W. 35A.12.170 as it now exists or may hereafter be amended, all demands against the city of Pullman shall be presented to and audited by the finance director and audit committee appointed by the City Council. The audit committee shall be composed of one or more members of the City Council, and elected by the City Council. Upon allowance of a demand, the finance director shall draw a warrant which shall be countersigned by the mayor, or such person as the mayor may designate, and shall specify the fund from which it is to be paid or, payment may be made by bank check when authorized by the City Council, which check shall bear the signatures of the officers designated by the Council as required signatories of checks of the city and shall specify the fund from which it is to be paid. (Ord. 85-26 §1, 1985; Ord. A-900 §1, 1970).

1.98.020 Claims for damages against the City--Filing.

(1) All tort claims filed against the city shall be submitted on a form provided by the city. All such claims shall:

(a) be verified, presented and filed by the claimant or on behalf of the claimant by any relative, attorney, or agent representing him or her in the event claimant is incapacitated from filing the claim;

(b) accurately describe the conduct and circumstances which brought about injury or damages;

(c) describe the injury or damage;

(d) state the time and place the injury or damage occurred;

(e) state the names of all persons involved, if known;

(f) contain the amount of damages claimed;

(g) contain a statement of the actual residence of the claimant at the time of presenting and filing the claim and for a period of six months immediately prior to the time the claim arose; and,

(h) be presented to and filed with the finance director prior to the passing of the applicable statute of limitations for the particular claim. (Ord. 85-26 §2, 1985).

1.98.030 Claims for damages--Procedure. When a claim for damages has been filed with the finance director, he or she shall refer the claim to the City Council which shall refer the claim to the appropriate insurance carrier or provider. (Ord. 07-15 §1, 2007; Ord. 85-26 §3, 1985).

Chapter 1.100

Collection Charge

Sections:

1.100.010 Collection charge.

1.100.010 Collection charge. The finance director is authorized to levy a collection charge on the drawer of any bank draft made payable to the city which is not paid because of insufficient funds or for any other reason. Such collection charge shall be established from time to time by resolution of the City Council. (Ord. 81-56 §2, 1981).

Chapter 1.102

Interest on Past-due Accounts

Sections:

1.102.010 Authorization to charge and collect interest on past-due accounts.

1.102.010 Authorization to charge and collect interest on past-due accounts. The finance director is authorized to charge interest on all past-due accounts or obligations for which a rate of interest has not been established by statutory law or local ordinance. The rate of interest on such accounts or obligations shall be set by City Council resolution. (Ord. 81-57 §1, 1981).

Chapter 1.105

Public Records

Sections:

- 1.105.010 [Purposes and Interpretation](#) .
- 1.105.020 [Definitions](#) .
- 1.105.030 [Custodian. Indexes](#) .
- 1.105.040 [Inspection. Copying. Fees](#) .
- 1.105.050 [Form of requests](#) .
- 1.105.060 [Responses to requests](#) .
- 1.105.070 [Notification to third parties](#) .
- 1.105.080 [Review of preliminary decisions to deny inspection or copying](#) .
- 1.105.090 [List of exemptions](#) .
- 1.105.100 [Severability](#) .

1.105.010 Purposes and Interpretation

(1) Purposes. The purposes of this Chapter are to adopt and enforce reasonable rules and regulations to

(a) provide full public access to identifiable public records and portions thereof which are not exempt from public disclosure,

(b) protect public records from damage or disorganization, and

(c) prevent excessive interference with other essential functions of the city when city personnel respond to requests to examine or obtain copies of identifiable public records.

(2) Interpretation. The provisions of this Chapter shall be interpreted consonant with the provisions of

(a) the public records subdivision of Chapter 42.17 RCW (R.C.W. 42.17.250 through R.C.W. 42.17.348), and

(b) Chapter 10.97 RCW entitled Washington State Criminal Records Privacy Act, and

(c) Chapter 40.14 RCW entitled Preservation and Destruction of Public Records, as those provisions now exist and in accordance with any amendments that may hereafter be made thereto. (Ord. 93-10 §1, 1993).

1.105.020 Definitions. As used in this Chapter the following terms shall have the following meanings:

(1) "Criminal history record information" has the same meaning as set forth in R.C.W. 10.97.030 as now existing and in accordance with any amendments that may hereafter be made thereto.

(2) "Department head" means either the police chief, the fire chief, the director of public works,

the director of public services, the finance director, the city attorney, the human resources director, or the library services director as the case may be. It also means the Administrative/Legal Assistant as to the records of the Mayor, city supervisor, and city attorney.

(3) "Exempt public records" means all public records, or portions thereof, which are defined as being exempt from public inspection and copying by R.C.W. 42.17.260, R.C.W. 42.17.310, and other provisions of the public records subdivision of chapter 42.17 RCW, and Chapter 10.97 RCW.

(4) "Identifiable public record" means a public record already in existence and which does not require a need to generate data in response to a request for inspection or copying.

(5) "Public record" has the same meaning as set forth in R.C.W. 42.17.020(27), as now existing and in accordance with any amendments that may hereafter be made thereto. On January 1, 1993, "public record" was defined in R.C.W. 42.17.020(27) as follows:

(27) "Public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.

(6) "Writing" has the same meaning as set forth in R.C.W. 42.17.020(29), as now existing and in accordance with any amendments that may hereafter be made thereto. On January 1, 1993, "writing" was defined in R.C.W. 42.17.020(29) as follows:

(29) "Writing" means handwriting, typewriting, printing, photostating, photo-graphing, and every other means of recording any form of communication or representation, including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video record-ings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated. (Ord. 93-10 §2, 1993).

1.105.030 Custodian. Indexes.

(1) Custodian. The custodian of a particular public record shall be the department head of the department which in the normal course of business maintains a public record as a part of performing the responsibilities of that particular department according to a locator of public records.

(2) Indexes. Each department head shall be responsible for maintaining and making available for public inspection and copying those indexes of identifiable public records for which the department head is the custodian and which are maintained for use by that department. (Ord. 93-10 §3, 1993).

1.105.040 Inspection. Copying. Fees.

(1) Inspection. Identifiable public records that are not exempt public records shall be available for inspection during normal city business hours as specified in P.C.C. 1.08.100.

(2) Copying. Public records shall remain in the custody of the appropriate custodian at all times. Copies of requested non-exempt public records or portions thereof shall be made timely by city personnel consistent with not unreasonably disrupting the operations of the city.

(3) Fees.

(a) Fees shall not be charged for the retrieval or inspection of identifiable public records.

(b) Fees shall be charged for the copying of identifiable public records in accordance with the provisions of chapter 1.80 PCC. (Ord. 93-10 §4, 1993).

1.105.050 Form of requests.

(1) Requests to inspect and/or obtain copies of identifiable public records shall be made in writing and the requestor need not disclose the purpose of the request unless the request is for a list of individuals requested for commercial purposes which would violate the provisions of R.C.W. 42.17.260(7) as now existing and in accordance with any amendments that may hereafter be made thereto. (Ord. 99-11 §1, 1999; Ord. 93-10 §5, 1993).

1.105.060 Responses to requests. Responses to requests for public records shall be made promptly by the custodian. Within five business days of receiving a public record request, the custodian must respond by either (1) providing the record; (2) acknowledging that the custodian has received the request and providing a reasonable estimate of the time the custodian will require to respond to the request; or (3) denying the public record request. Additional time required to respond to a request may be based upon the need to clarify the intent of the request, to locate and assemble the information requested, to notify third persons or agencies affected by the request, or to determine whether any of the information requested is exempt and that a denial should be made as to all or part of the request. In acknowledging receipt of a public record request that is unclear, the custodian may ask the requestor to clarify what information the requestor is seeking. If the requestor fails to clarify the request, the custodian need not respond to it. Denials of requests must be accompanied by a written statement of the specific reasons therefore. (Ord. 93-10 §6, 1993).

1.105.070 Notification to third parties. When a request is made to examine or obtain copies of an identifiable public record that pertains to a named person or persons and the custodian reasonably believes that disclosure of that public record would clearly not be in the public interest and would substantially and irreparably damage any person, or would substantially and irreparably damage vital governmental functions, the custodian may notify the person or

persons believed to be so affected of the request. If the custodian chooses to give notification, the notification shall be given either orally or in writing at least three working days prior to the intended time of disclosure. The notice shall include the nature of the request and the intended response to the request. (Ord. 93-10 §7, 1993).

1.105.080 Review of preliminary decisions to deny inspection or copying. Whenever a custodian preliminarily concludes that an identifiable public record is exempt from disclosure and prior to denying a person the opportunity to inspect or obtain a copy of that record for that reason, the custodian shall review the request and the preliminary conclusion with the city attorney after which a final determination shall be made as to whether to deny all or a portion of the request. The review with the city attorney shall occur in sufficient time to respond to the request as set forth in P.C.C. 1.105.060. (Ord. 93-10 §8, 1993).

1.105.090 List of exemptions. The city attorney shall maintain a current list containing every law, other than those listed in the public records subdivision of chapter 42.17 RCW, which are believed to exempt or prohibit disclosure of specific information or records of the city; provided, however, that failure to list an exemption shall not affect the efficacy of any exemption. (Ord. 93-10 §9, 1993).

1.105.100 Severability. The provisions of this Chapter are hereby declared to be severable. If any section, subsection, sentence, clause, or phrase of this Chapter or its application to any person or circumstance is for any reason held to be invalid or unconstitutional, the remainder of this Chapter shall not as a result of said section, subsection, sentence, clause, or phrase be held unconstitutional or invalid. (Ord. 93-10 §10, 1993).

Chapter 1.107

Procurement

Sections:

1.107.010 [Declaration of policy](#) .

1.107.020 [Definitions](#) .

1.107.030 [Contracts – Execution](#) .

1.107.040 [Public Bidding – Application](#) .

1.107.050 [Public Bidding](#) .

1.107.060 [Public Bidding – Bid opening](#) .

1.107.070 [Public Bidding – Evaluation of Bids](#) .

1.107.080 [Intergovernmental purchase contracts](#) .

1.107.090 [Public Bidding – Award of Contract](#) .

1.107.100 [Remedies for Solicitations or Awards in Violation of the Law](#) .

1.107.110 [Alternatives to public bidding](#) .

1.107.120 [Emergency procurement](#)

1.107.130 [Multi-term contracts.](#)

1.107.140 [Change Orders and Contract Amendments.](#)

1.107.150 [Procurement of Architect and Engineer Services](#) .

1.107.010 Declaration of policy.

(1) The purpose of this chapter is to maximize economy in city procurement activities and to foster effective broad-based competition in the purchase of goods, the acquisition of services, and the performance of public works.

(2) The Finance Director and Public Works Director are authorized to establish regulations to serve as guidelines in implementing the provisions of this chapter.

(3) The City of Pullman shall employ accepted procurement principles in regard to the purchase of goods and services and the performance of public work, reserving in all cases the right to reject all bids, proposals or other offers, and shall in all procurements of public works, goods and services promote the public interest as the trustee of public funds. (Ord. 04-18 §1, 2004).

1.107.020 Definitions. As used in this chapter:

(1) “Contract” means: an agreement creating a legal relationship between the City of Pullman and another person or entity, or any amendment or renewal thereto.

(2) “Minor” means:

(a) a contract, including purchase orders, that involves a net revenue or expense (excluding sales tax) of Thirty Thousand Dollars (\$30,000) or less within a 12-month period, and is of a routine nature; or

(b) a change or clarification to a contract that does not effect a material term or condition of the agreement.

(3) “Goods” means: all things that are moveable at the time of identification to a contract.

(4) “Personal service” defined:

(a) “Personal service” means: the furnishing of labor, time, or effort by a person as an independent contractor, not involving the delivery of goods or the performance of a specific public work.

(b) “Personal service” includes professional or technical services by an architect, engineer, or other consultant to accomplish a specific project task, completion of a specific study, or the performance of similar work.

(5) “Public works” means: all work, construction, alteration, repair, or improvement, other than ordinary maintenance performed by city workers, executed at the cost of the city of Pullman.

(6) "Prevailing Wage Rates" means: the rate of hourly wage, usual benefits, and overtime paid in the Pullman area as established by the Industrial Statistician at the Washington State Department of Labor and Industries.

(7) "Small Works Roster" means: a roster of licensed and registered public works contractors maintained by the Director of Public Works. (Ord. 04-18 §2, 2004).

1.107.030 Contracts – Execution.

(1) All contracts to which the City is a party shall be in writing and executed in the name of the City by the Mayor or his or her designee, under the authority or direction of the City Council, attested by the City Clerk and, when necessary, acknowledged.

(2) Minor Contracts.

(a) The City Council hereby authorizes and directs the Mayor, or his or her designee, to execute minor contracts without prior individual approval of each contract by the City Council if the amount of the contract is within the amount of the funds appropriated for that purpose in the annual city budget. Procurement requirements of the City of Pullman may not be artificially divided so as to constitute a minor procurement under this section.

(b) Procurements not subject to public bid, as minor procurements, shall be made with such competition as is practicable under the circumstances. The Mayor, or his or her designee, shall, by regulation, establish a procedure for securing telephone or written quotations for minor procurements.

(c) The Mayor or his or her designee may, upon his or her own volition, place any specific contract on the City Council agenda for individual City Council authorization as he or she may

see fit.

(3) Contracts which were publicly bid require City Council approval prior to execution.

(4) In accordance with the provisions of Ch. 39.04 RCW as now adopted or as subsequently amended, the Finance Director or the Public Works Director shall publish a notice in the official newspaper of the city the existence of of all vendor lists, consultants lists, and the small works roster of the city and shall solicit the names of vendors for additions to the vendor and consultant lists and small works roster.

(Ord. 05-20 §1, 2005, Ord. 04-18 §3, 2004).

1.107.040 Public Bidding – Application. The procurement of public works, goods, and services shall be by public bidding as follows:

(1) Public works are by public bidding when:

(a) the cost of the public work, as estimated by the Director of Public Works, exceeds Two Hundred Thousand Dollars (\$200,000) if more than a single craft or trade is involved in the project; or

(b) the cost of the public work, as estimated by the Director of Public Works, exceeds One Hundred Thousand Dollars (\$100,000) if only a single craft or trade is involved in the project.

(2) Purchasing of goods shall be by public bidding when the cost thereof, as estimated by the Finance Director or the Director of Public Works, exceeds Thirty Thousand Dollars (\$30,000) in a 12-month period.

(3) Procurement of personal services shall be by public solicitation of a Request for Proposals when the estimated cost of the proposed services exceeds Thirty Thousand Dollars (\$30,000) in a 12-month period.

(4) A Small Works Roster may be utilized by the Public Works Director for awarding contracts for public works when the estimated cost of the project will not exceed Two Hundred Thousand Dollars (\$200,000) including the costs of materials, supplies, equipment and labor.

(a) A contract awarded from the Small Works Roster need not be advertised; however, the Public Works Director shall invite proposals from all appropriate contractors on the Small Works Roster.

(b) Whenever possible, the Public Works Director shall solicit at least three (3) contractors on the Small Works Roster to submit bids on a proposed project.

(c) The Invitation to Bid for a project submitted to contractors on the Small Works Roster shall include an estimate of the scope and nature of the work to be performed and all materials and equipment required to be furnished for completion of the project.

(d) The Invitation to Bid shall set forth the date, time, and place for submittal of bids or quotes for performance of the project work.

(e) If the project work is to be performed on a time and materials basis, without formal plans or specifications, the hourly rates for labor and equipment and an estimate of the total project cost shall be submitted by qualified contractors. (Ord. 04-18 §4, 2004).

1.107.050 Public Bidding.

(1) Invitation to Bid. An Invitation to Bid includes the specifications, terms, and conditions applicable to the procurement. Notice of the Invitation to Bid is published in the official newspaper of the city and the notice shall state the place, time and date of bid opening, and the location for obtaining a copy of the Invitation to Bid.

(2) Bid security. Bid security is required for all public bids submitted in response to an Invitation to Bid for a public works contract when the estimated cost of the project will exceed Two Hundred Thousand Dollars (\$200,000) including the costs of materials, supplies, equipment and labor. Bid security is a bond provided by a surety company authorized to do business in the state of Washington, or the equivalent in cash, or otherwise provided to the City in a form satisfactory to the Public Works Director.

(a) Amount of bid security for all public works contracts is at least five percent of the amount of the bid.

(b) Rejection of bids for noncompliance. When the Invitation to Bid requires bid security, noncompliance with this requirement will result in the bid being rejected by the city unless it is determined that the bid fails to comply in any non-substantial manner with the bid security requirements.

(c) Withdrawal of bids. After the bids are opened by the Public Works Director or the Finance Director, the bids are irrevocable for the period specified in the Invitation to Bid. If a bidder is permitted to withdraw his bid before the award, no action is had against the bid or the bid security. (Ord. 04-18 §5, 2004).

1.107.060 Public Bidding – Bid opening. At the time and place set forth in the Invitation to Bid, all bids shall be opened publicly by the Finance Director, the Public Works Director, or other person designated by the Mayor to receive and evaluate bids. (Ord. 04-18 §6, 2004).

1.107.070 Public Bidding – Evaluation of Bids.

(1) Bids shall be evaluated by the Finance Director, Public Works Director, or other person designated by the Mayor to receive bids, based upon the requirements set forth in the Invitation to Bid. No criteria may be used that are not set forth in the Invitation to Bid.

(2) Bid evaluation shall be based on, but not limited to, the following criteria where applicable:

(a) the price submitted by the bidder for the performance of the contract work. Price may be determined by the lifecycle costing method if so indicated in the Invitation to Bid.

(b) the conformity of the goods, public work and/or services bid with the Invitation to Bid;

(c) the ability, capacity, and skill of the bidder to perform the contract or provide the services required;

(d) the character, integrity, reputation, judgment, experience, and efficiency of the bidder;

(e) whether the bidder can perform the contract within the time specified in the Invitation to Bid;

(f) the quality of performance by the bidder on previous public contracts;

(g) such other information as may be secured by the City having a bearing on the decision to award the contract.

(3) An Invitation to Bid may be cancelled, or any and all bids may be rejected in whole or in part,

when the Mayor, acting on the recommendation of the Finance Director or the Director of Public Works, determines that it is in the best interests of the city. The City Council may also reject any or all bids prior to formal award of the contract. (Ord. 04-18 §7, 2004).

1.107.080 Intergovernmental purchase contracts.

(1) The Mayor and city staff are encouraged to enter into joint purchase contracts with the state of Washington and other governmental units when the Mayor determines that it is in the best financial interest of the city to proceed with the procurement in such manner.

(2) The City Council hereby authorizes the purchase of goods without public bidding from a contract available through:

(a) the Washington State Purchasing Cooperative; or

(b) any other governmental unit whenever the Finance Director can demonstrate to the satisfaction of the Mayor that the procurement meets the city's requirements and represents the most favorable procurement for the city considering price and other evaluation factors. (Ord. 04-18 §8, 2004).

1.107.090 Public Bidding – Award of Contract.

(1) Following the evaluation of the bids submitted, the Finance Director or the Public Works Director, shall submit a recommendation to the City Council for the award of the contract.

(2) Notice of the award hearing shall be published in the agenda of the City Council. The name and bid amount of the successful bidder shall be available in the Office of the City Clerk at least one day prior to the City Council meeting on the award of the contract.

(3) Bidders and taxpayers wishing to formally protest the award of a bid must make their protests before the City Council at the City Council meeting on the award of the contract.

(4) After hearing all protests, the City Council shall make its decision. Award of the contract shall be to the bidder whose bid is most favorable to the city with price and the other factors identified in the Invitation to Bid being considered.

(5) The Council shall have the right in all cases to reject all bids and nothing herein is to be considered to compel the City Council to make an award of a contract.

(6) The decision of the City Council on the award of a contract is final and not subject to appeal. (Ord. 04-18 §9, 2004).

1.107.100 Remedies for Solicitations or Awards in Violation of the Law.

(1) Prior to Bid Opening. If, prior to bid opening, it is determined by the Mayor, or upon judicial review, that a bid solicitation is in violation of applicable law, the Invitation to Bid is cancelled or revised to comply with such law.

(2) Prior to Contract Award. If, after bid opening, it is determined by the Mayor, or upon judicial review, that a solicitation or proposed award of a contract is in violation of applicable law, the solicitation or proposed award is cancelled.

(3) After a Bid Award. If, after an award of a contract, it is determined by the Mayor, or upon judicial review, that a solicitation or award of a public contract was in violation of applicable law, then:

(a) if a person awarded the contract has not acted fraudulently or in bad faith

(i) the contract may be ratified and affirmed by the City Council, if it is determined that doing so is in the city's best interest; or

(ii) the contract may be terminated on order of the City Council;

(b) if a person awarded the contract has acted fraudulently or in bad faith, the City Council may declare the contract null and void, if such action is in the city's best interest, without prejudice to the city's rights to any appropriate damages. (Ord. 04-18 §10, 2004).

1.107.110 Alternatives to public bidding.

(1) When it is considered impractical to prepare a procurement description to support the award of a contract based solely on price, the Mayor may utilize a request for proposals, including in an appropriate case, a solicitation of design-build proposals.

The information received in response to the Request for Proposals may serve as the basis for a future Invitation to Bid, or as the basis for competitive negotiation.

(2) Procurement of data processing and telecommunication systems.

(a) Electronic data processing or telecommunication equipment, software, or services may be acquired through competitive negotiation when the estimated cost thereof exceeds Thirty-five Thousand Dollars (\$35,000) in a 12-month period.

(b) Competitive negotiations shall include, as a minimum, the following:

(i) A Request for Proposals shall be prepared and submitted to a minimum of three qualified sources.

(ii) Notice of the Request for Proposals shall be published in the official newspaper of the city at least 15 days before the last day to receive proposals.

(iii) The Request for Proposals shall identify significant evaluation factors, including price, and identify the relative importance of the evaluation factors.

(c) The Mayor, acting on the recommendation of the Finance Director, shall make the recommendation for the award of the contract. Award of the contract, when made, shall be made to the qualified firm whose proposal is the most favorable to the city with price and other factors considered.

(3) Sole Source Procurements. The City Council may, by resolution, waive public bid requirements on the recommendation of the Finance Director or the Public Works Director for:

(a) Purchases, public works, and services that are clearly and legitimately limited to a single source of supply;

(b) Purchases, public works, and services involving the requirements of special facilities. (Ord. 04-18 §11, 2004).

1.107.120 Emergency procurement.

(1) The City Council may, by resolution, declare an urgency and emergency and may waive all requirements for public bidding for purchases, public works, and services deemed necessary, in the opinion of the Mayor, to respond to the emergency. "Emergency" means unforeseen circumstances beyond the control of the city that either:

(a) presents a real, immediate threat to the proper performance of essential public functions; or

(b) will likely result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken.

(2) If the emergency requires procurements before City Council action, the Mayor may declare an emergency situation exists, waive public bidding requirements, and award all necessary contracts on behalf of the city to address the emergency situation. If a contract is awarded without public bidding due to an emergency, a written finding of the existence of an emergency must be made by the City Council no later than two weeks following the award of the contract.

(3) Emergency procurements shall be made with such competition as is practicable under the circumstances. (Ord. 04-18 §12, 2004).

1.107.130 Multi-term contracts.

(1) Contract for a Specified Period. A contract may be entered into for any period of time deemed to be in the best interest of the city, so long as funds are available for the current budget year at the time of contracting. Payment and performance obligations for succeeding budget years are subject to the availability and appropriation of funds by the City Council.

(2) Determination to use Multi-term Contract. Prior to the utilization of a multi-term contract, it shall be determined that estimated requirements cover the period of the contract and are reasonably firm and continuing and that such contract will serve the best interests of the city by encouraging effective competition or otherwise promoting cost-effective city procurement. (Ord. 04-18 §13, 2004).

1.107.140 Change Orders and Contract Amendments.

(1) The City Council hereby directs and authorizes the Mayor to delegate approval authority for change orders to public works contracts to the Public Works Director under the following conditions:

(a) if the change order does not substantially change the scope of the project; and

(b) if the total increase or decrease in the contract amount, as a result of the change order, does not exceed fifty percent (50%) of the bid total stated in the contract; and

(c) if the total contract amount as adjusted by the change order is within the funds available in the appropriate budget account.

(2) Where the Mayor or the Public Works Director approve and sign the change orders according to the conditions above, they shall request ratification by the City Council of the approval and signing of the change order within thirty (30) days of the date of signing the change order or contract amendment.

If the change order or contract amendment does not meet the conditions set forth in the above section, the Mayor or the Public Works Director must obtain the approval of the City Council in advance of approving and assigning the change order or contract amendment. (Ord. 04-18 §14, 2004).

1.107.150 Procurement of Architect and Engineer Services.

(1) The City shall publish all requirements for architect and engineer services in advance, stating the general scope and nature of the projects or works for which the services are required, and the address of the city representative who can provide further details on the project work.

(a) To provide for the expeditious procurement of architect and engineer services, the Public Works Director shall encourage firms engaged in the lawful practice of their profession to submit to the city annually a statement of qualifications and performance data.

(b) The Public Works Director shall evaluate current statements of qualifications and performance data for professional architect and engineering firms on file with the city, together with any specific qualifications and data that may be submitted by other professional firms regarding the proposed project, and determine the firms best qualified to perform the professional services for the city.

(c) The Public Works Director shall conduct discussions with one or more firms regarding anticipated concepts and the relative utility of alternative methods of approach for furnishing the required professional services for the project. The selection of the firm deemed most qualified to

provide the necessary professional services shall be made by the Public Works Director following those discussions based upon criteria established by the city in the Request for Proposals.

(2) Minor Professional Services Contracts. Individual project advertisements for architect and engineer services are not required when the estimated cost for such services is fifty thousand dollars or less. The Public Works Director shall only be required to evaluate the current statements of qualification and performance data for architect and engineer firms on file with the city.

(3) Negotiations for Architect and Engineer Services.

(a) A contract shall be negotiated with the most qualified firm at a fair and reasonable price for the city. In making this determination, the Public Works Director shall consider the estimated value of the services to be rendered, as well as the scope, complexity and professional nature thereof.

(b) If the city is unable to negotiate a satisfactory contract with the selected firm at a fair and reasonable price to the city, negotiations with that firm shall be formally terminated and the city shall select other firms in accordance with the previous evaluation by the Public Works Director. (Ord. 04-18 §15, 2004).

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