

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Sheriff	QD	10/5/93	RECEIVED OCT 6 1993 WHATCOM COUNTY COUNCIL	10/12	Introduction
Division Head:				10/26	Finance/Council
Depl. Head:					
Prosecutor:	DG	10/5/93			
Purchasing/Budget:					
Executive:	QD	10/5/93			

SUBJECT:

Ordinance amending the ordinance establishing the Emergency Management Division within the Sheriff's Office (2.40), to clarify the status of employees within the Division.

ATTACHMENTS: WCC 2.40

SUMMARY STATEMENT:

Please complete sections of box as appropriate & explain the item below.

Related County contract #:	Should Clerk schedule a hearing? NO /XXX/ YES /_/ Requested date:
Amount budgeted for this item/project:	Is it (or will it be) within budget? YES /_/ NO /_/ (Please explain below)
Budget line item number(s):	

The current ordinance establishing the Emergency Management Division within the Sheriff's Office does not clearly delineate the status of employees within the division vis-a-vis Civil Service. The effect of this ordinance would be to clearly state that Emergency Services Employees are not Civil Service Employees. This is entirely within the scope of applicable State and County law. The Emergency Management Employees would be hired and employed in accordance with the personnel policies and procedures of Whatcom County and other applicable laws and regulations.

ORIGINATOR'S RECOMMENDED ACTION: The Sheriff recommends that the council adopt this ordinance.

COMMITTEE ACTION TAKEN:

COUNCIL ACTION TAKEN:

10/12/93: Introduction
 10/26/93: Council adopted the ordinance. 7-0.

Related File Numbers:

Ordinance or Resolution Number (this item only) Ord 93-071

SPONSORED BY: Laidlaw

PROPOSED BY: Sheriff

INTRODUCTION DATE: October 12, 1993

ORDINANCE NO. 93-071

AN ORDINANCE AMENDING THE ORDINANCE ESTABLISHING
THE EMERGENCY MANAGEMENT DIVISION WITHIN THE SHERIFF'S OFFICE,
TO CLARIFY THE STATUS OF EMPLOYEES WITHIN THE DIVISION

WHEREAS, R.C.W. 41.14 mandates a civil service system for employees of the Sheriff's Office;

WHEREAS, R.C.W. 38.52 calls for counties for provide emergency management services;

WHEREAS, R.C.W. 38.52 allows, but does not mandate, counties to place emergency management services under the direction of the Sheriff;

WHEREAS, R.C.W. 38.52.140 clearly implies that persons employed in the provision of emergency management services must not necessarily have civil service status;

WHEREAS, Whatcom County Code 2.40 creates an "Emergency Management Division" within the Sheriff's Office;

WHEREAS, the ordinance in its current form does not clearly delineate the status of employees within the Emergency Management Division vis-a-vis Civil Service;

WHEREAS, the Council wishes to provide clarity on the issue of whether or not such employees are civil service employees;

WHEREAS, the Council determines that it is in the best interest of the County and The Emergency Management Division, and its employees, for employees not to be within the County's Civil Service System;

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council That:

Section 1. The Whatcom County Code 2.40.040 shall be amended as follows:


1 2.40.040 It is the responsibility of the director to hire the division staff in accordance
2 with the personnel policies and procedures of the county and any other applicable laws and
3 regulations. Employees of the division shall not be included within the civil service system,
4 except those on leave from a civil service position shall be entitled to the protection of their
5 status as provided in R.C.W. 38.52.140

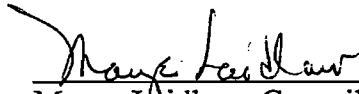
6 Section 2. Adjudication of invalidity of any of the sections, clauses, or provisions of
7 this Ordinance shall not affect or impair the validity of the Ordinance as a whole or any part
8 thereof other than the part so declared to be invalid.

9
10 ADOPTED this 26th day of October, 1993.

11
12 ATTEST:

 WHATCOM COUNTY COUNCIL
 WHATCOM COUNTY, WASHINGTON

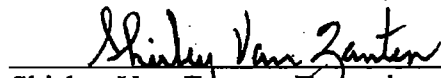
13 
14 Ramona Reeves, Council Clerk


 Marge Laidlaw, Council Chair

15 APPROVED AS TO FORM:

Approved Denied

16 
17 Civil Deputy Prosecutor


 Shirley Van Zanten, Executive
 Date: 10-22-93