

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Starkenburg		11/16 /94		11/22/94	Introduced
Division Head:				12/13/94	Council
Dept. Head:					
Prosecutor:					
Purchasing/Budget:					
Executive:					

**SUBJECT:**

Whatcom County Code changes transferring solid waste responsibilities to the Transportation Services Department.

**ATTACHMENTS:**

Ordinance

**SUMMARY STATEMENT:**

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

Related County contract #: N/A	Should Clerk schedule a hearing? NO / / YES / / Requested date:
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This ordinance will transfer the responsibility for the oversight and management of County solid waste programs from the Planning and Development Services department to the Transportation Services Department.

**CLERK'S RECOMMENDED MOTION (for final action):**

"I move that the Council approve the ordinance."

**COMMITTEE ACTION TAKEN:**

**COUNCIL ACTION TAKEN:**

11/22/94" Introduced  
12/13/94 Adopted 7-0 Amended Ord. 94-079

**Related File Numbers:**

**Ordinance or Resolution Number (this item only):** 94-079

SPONSORED BY: Consent

PROPOSED BY: Starkenburg

INTRODUCTION DATE: 11/22/94

ORDINANCE NO. 94-079

TRANSFERRING SOLID WASTE PROGRAMS FROM THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT TO THE TRANSPORTATION SERVICES DEPARTMENT; AND CHANGING SAID DEPARTMENT'S NAME TO PUBLIC WORKS

WHEREAS, the Whatcom County Charter places the authority for assignment of departmental responsibilities with the County Council; and

WHEREAS, the County Council previously reorganized operations to place activities for solid waste management within the Department of Planning and Development Services; and

WHEREAS, the County Council now finds that the provision of those services to the public can best be handled through the Transportation Services Department; and

WHEREAS, the County Council agrees with a request by the Transportation Services Department, to change the department name to the Public Works Department;

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that the name of the Transportation Services Department is hereby changed to the Public Works Department, as indicated in Exhibit A to this ordinance, and the administration is directed to make all other administrative changes necessary to accomplish the renaming of this department; and

BE IT FURTHER ORDAINED that responsibilities for solid waste issue are hereby transferred from the Planning and Development Services Department to the Public Works Department (formerly known as the Transportation Services Department);

BE IT FINALLY ORDAINED that this transfer of responsibilities will be reflected by an amendment to Whatcom County Code Chapter 2.32 as shown below, and as indicated in Exhibit A to this ordinance, which amends Chapter 2.75:

"Chapter 2.32 Planning & Development Services Department

2.32.030 Duties.

A. The planning and development services department shall be responsible for the planning, implementation and enforcement of laws and regulations related to zoning, land use, development, ~~solid waste~~, water resources, construction, fire

1 safety, growth management, surface and sub-surface mining, forestry, and other  
2 environmental regulations as may be enacted. The department shall operate in  
3 conjunction with the county planning commission.

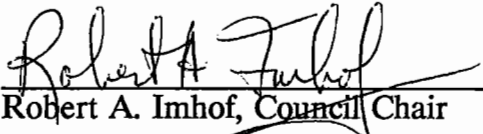
4 B. The director, or subordinate or subordinates designated by the director,  
5 shall serve as the chief building official, chief land use administrator, chief  
6 shorelines administrator, fire marshal, and as any other official responsible for  
7 administration of ordinances of the state and county that fall under the purview of  
8 this department."

9 ADOPTED this 13th day of December, 1994.

10  
11 ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

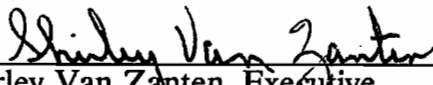
12   
13 Ramona Reeves, Council Clerk

  
Robert A. Imhof, Council Chair

14 APPROVED AS TO FORM:

Approved       Denied

15   
16 Daniel L. Gibson  
17 Civil Deputy Prosecutor

  
Shirley Van Zanten, Executive  
Date: 12-14-94

*The Council, by motion at its December 13, 1994 Council meeting, amended the ordinance on file under AB94-575 by adopting the following motion (the change was requested by the Transportation Services Department staff):*

*"Brenner moved to amend the ordinance to change the name of the Transportation Services Department to the Public Works Department where appropriate throughout the ordinance and in administrative paperwork.*

*Motion to amend carried 6-1 with Harris opposed."*

*Upon the advice of the Council's attorney, the Clerk has prepared this Exhibit to accomplish the full extent of the intent of that motion and to include solid waste program responsibilities among those covered by the Public Works Department. The code reviser is asked to make all amendments to Chapter 2.75 of the Whatcom County Code as indicated below.*

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Whatcom County Code

Chapter 2.75

~~TRANSPORTATION SERVICES~~ **PUBLIC WORKS** DEPARTMENT

Sections:

- 2.75.010 Department established.
- 2.75.020 Director appointment.
- 2.75.030 Duties.
- 2.75.090 Severability.

2.75.010 Department established.

There is hereby established an administrative department called the transportation

services department effective January 1, 1994; ~~this department was renamed as the public works department, effective January 1, 1995;~~ provided that the county executive may take preliminary and transitional steps necessary for the formation of the department and implementation of this chapter.

2.75.020 Director appointment.

A. There shall be appointed a director of the ~~transportation services~~ ~~public works~~ department whose duties shall include management oversight and administration of all department activities. The director shall be appointed by the county executive, subject to confirmation by a majority of the county council. The director shall be appointed for an indefinite period and serve at the will of the county executive.

B. It is the responsibility of the director to hire department staff in accordance with the personnel policies and procedures of the county, and any other applicable laws and regulations.

2.75.030 Duties.

A. The ~~transportation services~~ ~~public works~~ department shall be responsible for the planning, engineering, construction, and maintenance of roads, ferries, paths, trails, bridges, pits, quarries, and other methods, structures, and appurtenances relating to transportation systems within the county. In addition the department will be responsible for ~~solid waste programs, and the~~ design, repair, construction and maintenance of vehicles and related equipment, along with river improvement, dikes and other civil

engineering projects as directed.

B. The director, or subordinate or subordinates designated by the director, shall serve as the county engineer and as any other official responsible for administration of ordinances of the state and county that fall under the purview of this department.

**2.75.090 Severability.**

If any portion of this chapter shall be found unlawful, all remaining portions shall remain in effect.

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