

ORIGINAL

RESOLUTION NO. 447

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, REPEALING RESOLUTION NO. 182.**

WHEREAS, RCW 35.63.170 authorizes the City of Shoreline to establish a hearing examiner system for the purpose of hearing and deciding those issues the City Council believes should be reviewed and decided by a hearing examiner; and

WHEREAS, with the adoption of Shoreline Municipal Code (SMC) chapter 2.15 the City Council established such a system; and

WHEREAS, Resolution No. 88 established the first Rules of Procedures for Administrative Hearings before both the Hearing Examiner and the Planning Commission; these rules were last amended in 2001 by Resolution No. 182; and

WHEREAS, since the Rules of Procedures were last amended, the City Council designated the Hearing Examiner as the review authority for all quasi-judicial hearings and adopted amendments to the SMC broadening the Hearing Examiner's appellate authority for such things as tax appeals; and

WHEREAS, SMC 2.15.070(H) grants the Hearing Examiner authority to make rules for the conduct of hearings, notices, and other proceedings and procedures and, therefore adoption of the Rules of Procedure by Council Resolution is not necessary; and

WHEREAS, allowing the Hearing Examiner to exercise the administrative authority granted in SMC 2.15.070(H) will permit the Rules of Procedures to be efficiently amended to meet changing conditions in the law and processes; and

WHEREAS, the Shoreline City Council desires to repeal Resolution No. 182 and the Rules of Procedures adopted by that Resolution;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, HEREBY RESOLVES:**

**Section 1. Repeal of Resolution No. 182.** The City Council hereby repeals in its entirety, including attachments, Resolution No. 182 as adopted on December 10, 2001.

**Section 2. Severability.** If any one or more sections, subsections, or sentences of this Resolution are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Resolution and the same shall remain in full force and effect.

**Section 3. Effective Date.** This Resolution shall take effect and be in full force immediately upon passage by the City Council.

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ADOPTED BY THE CITY COUNCIL ON OCTOBER 7, 2019

  
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Mayor Will Hall

**ATTEST:**

  
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Jessica Simulcik Smith  
City Clerk