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PROPOSED BY: _____

INTRODUCTION DATE: _____

ORDINANCE NO. _____

**AMENDING WHATCOM COUNTY CODE (WCC) CHAPTER 2.78,
SOLID WASTE ADVISORY COMMITTEE**

WHEREAS, sections of the WCC addressing initial appointment terms are outdated and no longer apply; and

WHEREAS, WCC 2.78 addresses term limits of Solid Waste Advisory Committee members; and

WHEREAS, the County Council, City of Bellingham, and Small Cities have each annually appointed one representative to serve on the Advisory Committee; and

WHEREAS, the term limit code language as written can be interpreted to apply to the annually-appointed elected officials; and

WHEREAS, the County Council's intent is to allow each jurisdiction to designate their own representative to the Advisory Committee without restricting the number of one-year terms.

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that Whatcom County Code Chapter 2.78 is amended as shown in Exhibit A.

ADOPTED this ____ day of _____, 20____.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Clerk of the Council

Rud Browne, Council Chair

APPROVED AS TO FORM:

WHATCOM COUNTY EXECUTIVE
WHATCOM COUNTY, WASHINGTON

Karen Frakes, Civil Deputy Prosecutor

Jack Louws, County Executive

() Approved () Denied

Date Signed: _____

EXHIBIT A

Chapter 2.78 SOLID WASTE ADVISORY COMMITTEE

Sections:

- 2.78.010 Committee – Established.
- 2.78.020 Committee – Members.
- 2.78.030 Committee – Advice and recommendation to county executive.
- 2.78.040 Committee – Duties.
- 2.78.050 Appointments to committee.
- 2.78.060 Eligibility to serve on committee.
- 2.78.070 Filling of vacancies.
- 2.78.080 Terms of office.
- 2.78.090 Meetings – Rule promulgation.
- 2.78.100 Public works department to provide administrative support.
- 2.78.110 Members not to be compensated.

2.78.010 Committee – Established.

The county solid waste advisory committee is established to be comprised of a county-wide group of representatives of citizens, public interest groups, business, the waste management industry, and local elected public officials or their appropriately appointed designees to provide for coordination and information exchange between the groups about solid waste issues and to provide ongoing public input and advice to Whatcom County on solid waste management issues.

2.78.020 Committee – Members.

The county solid waste advisory committee shall be composed of 11 members. Two of the members shall be local elected officials or their appropriately appointed designees, ~~who shall serve for a one-year period~~, with one representative from the city of Bellingham and one representative from other cities in the county. One member shall be a Whatcom County councilmember. The remaining eight members shall represent a balance of interest from the following sectors: two citizen representatives with no financial ties to other included sectors, two representatives from public interest groups, one business/industry representative, one representative from the waste collection industry, **one representative from agriculture**, one recycling industry representative, and one solid waste disposal facility representative. No two representatives can be from the same company or public interest group.

Add ag representative on advice from staff, due to a recent requirement for a representative of agriculture to be on SWAC, as re RCW 70.95.165(3) . (See email from J. Hegedus to DBD 11/27/18)

2.78.030 Committee – Advice and recommendation to county executive.

The county solid waste advisory committee shall advise and make recommendation to the county executive and council on matters within their scope and charge.

2.78.040 Committee – Duties.

The scope and charge of the county solid waste advisory committee shall be to:

- A. Advise Whatcom County of all aspects of solid waste management planning;

- 1 B. Review no less frequently than once annually, the county comprehensive solid waste
- 2 management plan, and recommend appropriate changes, amendments, or modifications
- 3 thereof;
- 4 C. Assist Whatcom County in the development of programs and policies concerning solid
- 5 waste management;
- 6 D. Review and comment on proposed solid waste management rules and policies, or
- 7 ordinances prior to their adoption;
- 8 E. Review and comment on the proposed solid waste management budget before it is
- 9 submitted to the solid waste executive committee.

10
11 **2.78.050 Appointments to committee.**

12 The county executive shall be able to appoint nonvoting ex officio members who shall serve
13 at the executive's discretion. The county council shall nominate and appoint members to the
14 committee in accordance with its rules of procedure as required by RCW [70.95.165](#).

15
16 ~~**2.78.060 Eligibility to serve on committee.**~~

17 ~~The term of office of any committee member shall be~~
18 ~~limited to two consecutive full terms. Reappointment~~
19 ~~shall be subject to confirmation by council action~~
20 ~~motion. If, during the term of office, a public official is defeated in a general election, or for~~
21 ~~any other reason loses his/her political office, the public officer is no longer eligible to sit on~~
22 ~~the committee as an elected official and the position shall immediately be vacated by that~~
23 ~~reason and refilled.~~

24
25 **2.78.070 Filling of vacancies.**

26 A vacancy shall be filled for the remainder of the term of the vacant position in the manner
27 described in the initial appointment.

28
29 **2.78.080 Terms of office.**

30 ~~Four members shall initially serve a term ending December~~
31 ~~31, 1987, and the remaining five members shall serve a~~
32 ~~term ending December 31, 1988, or until their successor is~~
33 ~~appointed and confirmed as provided in this chapter.~~

34 Thereafter, all **Elected official terms shall be one-year, and all other** terms shall be for three
35 years.

**The language removed from
this section is removed
because it is outdated.**

36
37 **2.78.090 Meetings – Rule promulgation.**

38 The solid waste advisory committee shall meet as required to carry out the purposes of the
39 committee. The committee shall promulgate rules for the election of officers and the
40 conduct of its business.

41
42 **2.78.100 Public works department to provide administrative support.**

43 Ongoing administrative support to the committee shall be provided by the county
44 department of public works.

45
46 **2.78.110 Members not to be compensated.**

47 Members of the committee shall serve without compensation.