

6 **ORDINANCE NO. _____**
7

8 **SUSPENDING WHATCOM COUNTY CODE 1.28 TO UPDATE THE CORRECTIONAL**
9 **FACILITIES OPERATIONAL STANDARDS**
10

11
12 **WHEREAS**, in 1977, chapter 70.48 RCW, the City and County Jails Act, was initially
13 adopted; and
14

15 **WHEREAS**, in 1979, the Washington State Correctional Facilities Standards were
16 developed by the Corrections Standards Board and codified in Title 289 of the Washington
17 Administrative Code (WAC) as a guide to counties and cities to satisfy the mandates under
18 the Act; and
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20 **WHEREAS**, in 1987, a new section, RCW 70.48.071, was added to chapter 70.48
21 RCW that specifically mandated that "units of local government that own or operate adult
22 correctional facilities shall, individually or collectively, adopt standards for the operation of
23 those facilities no later than January 1, 1988..."; and
24

25 **WHEREAS**, to comply with RCW 70.48.071, the Whatcom County Council adopted
26 the standards in Title 289 WAC by enacting Ordinance No. 87-85 in December 1987, later
27 codified as Whatcom County Code (WCC) 1.28 - *Standards for Correctional Facilities*; and
28

29 **WHEREAS**, in 2006, Title 289 WAC was decodified without replacement as it was
30 obsolete and the Corrections Standards Board ceased to exist; and
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32 **WHEREAS**, the identical standards in Whatcom County Code (WCC) 1.28 are
33 likewise obsolete; and
34

35 **WHEREAS**, RCW 70.48.071 authorizes the County to establish operational standards
36 for its own correctional facilities in either its code, through the correctional facilities
37 department policies and standards, or a combination thereof; and
38

39 **WHEREAS**, the Whatcom County Sheriff's Office correctional facility operational
40 standards are collectively established through various documents, including, but not limited
41 to, written general policies, corrections bureau operational policies and procedures, medical
42 policies and procedures, the Sheriff's Office Rules and Regulations Manual, and the Uniform
43 Building Code; and
44

45 **WHEREAS**, the Whatcom County Council deems it necessary to suspend WCC 1.28
46 for up to twelve (12) months to provide adequate time for the Law and Justice Committee
47 and the County Council to review the correctional facilities operational standards and
48 proposals.
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1 **NOW, THEREFORE, BE IT ORDAINED** by the Whatcom County Council that WCC
 2 1.28 is hereby suspended in its entirety for up to twelve (12) months, and that the
 3 Whatcom County Sheriff's Office correctional facility operational standards, as described
 4 above, are hereby temporarily adopted in place of WCC 1.28.
 5

6 **BE IT FINALLY ORDAINED** that the following notation shall be included in the
 7 County Code in place of WCC 1.28:
 8

9 *Whatcom County Code Chapter 1.28 is temporarily suspended for up to twelve (12)*
 10 *months, beginning July 8, 2019. The Whatcom County Sheriff's Office correctional facility*
 11 *operation standards, as collectively established through various documents, including, but*
 12 *not limited to, written general policies, corrections bureau operational policies and*
 13 *procedures, medical policies and procedures, the Sheriff's Office Rules and Regulations*
 14 *Manual, and the Uniform Building Code, are temporarily adopted in its place.*
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16 **ADOPTED** this ____ day of _____, 2019.
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19 20 ATTEST:	WHATCOM COUNTY COUNCIL WHATCOM COUNTY, WASHINGTON
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21 22 23 _____ Dana Brown-Davis, Clerk of the Council	21 22 23 _____ Rud Browne, Council Chair
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24 25 26 APPROVED AS TO FORM: 27 _____ Civil Deputy Prosecutor	24 25 26 WHATCOM COUNTY, WASHINGTON 27 _____ Jack Louws, County Executive
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	28 29 30 31 () Approved () Denied
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	32 33 34 35 Date Signed: _____ 36 37
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