



# Whatcom County

COUNTY COURTHOUSE  
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## Agenda Bill Master Report

File Number: AB2019-308

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<b>File ID:</b>	AB2019-308	<b>Version:</b>	1	<b>Status:</b>	Adopted
<b>File Created:</b>	05/16/2019	<b>Entered by:</b>	LGallery@co.whatcom.wa.us		
<b>Department:</b>	Prosecuting Attorney's Office	<b>File Type:</b>	Ordinance		

**First Assigned to:** Council

**Agenda Date:** 06/18/2019

**Next Mtg. Date:**

**Hearing Date:**

Primary Contact Email: lgallery@co.whatcom.wa.us

**TITLE FOR AGENDA ITEM:**

Ordinance suspending Whatcom County Code 1.28 to update the correctional facilities operational standards

**SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:**

Whatcom County Code Chapter 1.28 is temporarily suspended for up to twelve (12) months. The Whatcom County Sheriff's Office Correctional Facility Operational Standards, as described in Ordinance No. 2019-047, are temporarily adopted in its place.

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**HISTORY OF LEGISLATIVE FILE**

<b>Date:</b>	<b>Acting Body:</b>	<b>Action:</b>	<b>Sent To:</b>
06/04/2019	Council	SUBSTITUTE INTRODUCED FOR PUBLIC HEARING	Council
06/18/2019	Council	ADOPTED	

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**Attachments:** Ordinance, Notice of Hearing 6.18.19, Adopted Ordinance 2019-047

<b>Final Action:</b>	06/18/2019
<b>Enactment Date:</b>	06/18/2019
<b>Enactment #:</b>	ORD 2019-047

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3 **PROPOSED BY: SHERIFF'S OFFICE**  
4 **INTRODUCTION DATE: JUNE 4, 2019**

5  
6 **ORDINANCE NO. 2019-047**

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

19  
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

31  
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.


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

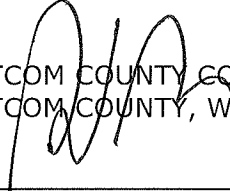
9           *Whatcom County Code Chapter 1.28 is temporarily suspended for up to twelve (12)*  
10 *months, beginning July 8, 2019. The Whatcom County Sheriff's Office correctional facility*  
11 *operation standards, as collectively established through various documents, including, but*  
12 *not limited 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.*

15           **ADOPTED** this 18th day of June, 2019.

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20 ATTEST

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22 \_\_\_\_\_  
23 Dana Brown-Davis, Clerk of the Council  
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WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

  
\_\_\_\_\_  
Rud Browne, Council Chair

APPROVED AS TO FORM:

27   
28 \_\_\_\_\_  
29 Civil Deputy Prosecutor

WHATCOM COUNTY, WASHINGTON

  
\_\_\_\_\_  
Jack Louws, County Executive

Approved      ( ) Denied

Date Signed: 6/20/19