

Model Charter County Engineer Guidelines

APPENDIX 'B'

ORDINANCE NO. _____

AN ORDINANCE OF THE _____ COUNTY COUNCIL ADOPTING A NEW CHAPTER ##.## OF THE _____ COUNTY CODE, "DUTIES OF COUNTY ENGINEER" , ESTABLISHING THE OFFICE OF COUNTY ENGINEER AND DELEGATING THE AUTHORITY TO THE _____ COUNTY EXECUTIVE TO ESTABLISH WRITTEN POLICIES FOR THE PURPOSE OF DEFINING WHICH ADMINISTRATIVE OFFICER WITHIN THE EXECUTIVE BRANCH OF THE COUNTY SHALL CARRY OUT THE DUTIES OF THE COUNTY ENGINEER.

WHEREAS, The powers and duties of the county legislative authority in relation to roads and bridges, and the qualifications and duties of the county engineer are detailed in Title 36 Revised Code of Washington; and

WHEREAS, Pursuant to 36.80 Revised Code of Washington, the county legislative authority of each county shall employ a county engineer; and

WHEREAS, The county engineer shall keep an office at the county seat in such room or rooms as are provided by the county, and shall be furnished with all such articles necessary to the proper discharge of the county engineer's official duties; and

WHEREAS, The records and books in the county engineer's office shall be public records, and shall at all proper times be open to the inspection and examination of the public; and

WHEREAS, The office of county engineer shall be an office of record; the county engineer shall record and file in the office all matters concerning the public roads, highways, bridges, ditches, or other surveys of the county, with the original papers, documents, petitions, surveys, repairs, and other papers, in order to have the complete history of any such road, highway, bridge, ditch, or other survey; and shall number each construction or improvement project; and

WHEREAS, The county engineer shall be a registered and licensed professional civil engineer under the laws of this state, duly qualified and experienced in highway and road engineering and construction; and

WHEREAS, The county engineer shall examine and certify all estimates and all bills for labor, materials, provisions, and supplies with respect to county roads, prepare standards of construction of roads and bridges, and perform such other duties as may be required; and

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WHEREAS, The county engineer shall have supervision of establishing, laying out, constructing, altering, improving, repairing, and maintaining all county roads of the county; and

WHEREAS, 136.50 Washington Administrative Code reiterates the formal relationship between the legislative authority and its county engineer and requires that certain written policies be adopted to insure the efficient and productive operation of the road department and that certain specific powers and specific statutory duties, the county legislative authority shall have the duty to develop written policies, regarding county road department operation for the information and guidance of the county engineer; and

WHEREAS, In counties that have adopted a home rule charter, as provided for in Article 11 subsection 4 of the state Constitution, the duties and responsibilities of the county engineer set forth in chapter 36.80 RCW may be modified by the county legislative authority as allowed by existing constitutional law, statutory law, and the county's charter; and

WHEREAS, _____ County has adopted a home rule charter which establishes the County Executive as the Chief Executive Officer of the county, and

WHEREAS, The _____ County Charter provides the Chief Executive Officer the powers to supervise and manage all administrative offices and executive offices created by the County Council, and

WHEREAS, The _____ County Council finds it necessary to establish the office of County Engineer, pursuant to state statute, and

WHEREAS, The _____ County Council has determined, that in the best interest of the citizen of the County, to delegate the responsibility to assign and distribute the duties of the county engineer to the Chief Executive Officer of the county;
NOW, THEREFORE,

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BE IT ORDAINED by the Council of _____ County:

Section 1. Chapter ##.## of the _____ County Code is hereby adopted, as set forth in Exhibit "A" which is attached hereto and by this reference incorporated herein.

Section 2. Changes to Chapter ##.## shall be revised as needed.

PASSED this _____ day of _____, 2004.

ATTEST:

_____ COUNTY COUNCIL

_____ COUNTY, Washington

Clerk of the Council

Council Chair

Approved As To Form:

Deputy Prosecuting Attorney

this _____ day of _____, 2004.

Date of Publication of

Notice of Public Hearing: _____

Effective Date of Ordinance: _____

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EXHIBIT 'A' TO ORDINANCE NO. _____

"NEW CHAPTER AND SECTION"

Title ##

ROADS AND RIGHTS-OF-WAY

CHAPTERS:

##.## DUTIES OF THE COUNTY ENGINEER

Chapter 12.04

DUTIES OF THE COUNTY ENGINEER

SECTIONS:

##.##.010 Office Established.

##.##.020 Duties of the County Engineer.

##.##.030 Authority of the County Executive.

##.##.010 Office Established.

The "Office of County Engineer" is established as an administrative office of the Department of Public Works. The Office of County Engineer shall be an office of record, supervised by the County Engineer hired pursuant to RCW 36.80.010, and located within the corporate limits of the county seat.

##.##.020 Duties of the County Engineer.

The County Engineer shall carry out all duties assigned to the County Engineer as prescribed by state statute, except as modified by the County Executive as authorized in Section ##.##.030 herein.

##.##.030 Authority of the County Executive.

The County Executive shall have the authority to assign, from time to time, duties of the County Engineer to someone other than the County Engineer, ***provided however***, that the individual assigned those duties shall be qualified as required under RCW 36.80.020. The Executive shall provided to the County Council and the Washington Sate County Road Administration Board, in writing, those specific duties not assigned to the County Engineer, the name of the person responsible for carrying out those assigned duties, the specific reporting and working relationships with the County Engineer, and the duration for which those duties have been assigned.