

**CITY OF SNOHOMISH
Snohomish, Washington**

ORDINANCE 2235

**AN ORDINANCE OF THE CITY OF SNOHOMISH, WASHINGTON
REPEALING SMC CHAPTER 2.26 ENTITLED “LIQUOR CONTROL/
LIQUOR ADVISORY COMMITTEE;” AND ADDING A NEW CHAPTER
2.27 TO THE SNOHOMISH MUNICIPAL CODE ESTABLISHING A
PUBLIC SAFETY COMMISSION, DEFINING THE DUTIES THEREOF,
AND PROVIDING FOR SEVERABILITY**

WHEREAS, the Snohomish City Council has found considerable public value in the citizen involvement provided through both the “Civil Service Commission” and the “Liquor Advisory Committee” and desires to see such citizen involvement regarding certain public safety matters continue and be redefined; and

WHEREAS, pursuant to Title 66 of the Revised Code of Washington (RCW) relating to ALCOHOL BEVERAGE CONTROL, the State of Washington through the Liquor Control Board regulates alcoholic beverages; and

WHEREAS, pursuant to RCW 66.24.010 (8), before the Board issues a new or renews a liquor license application, the Board shall give notice of such license application to the Chief Executive Officer of the City; and

WHEREAS, the Snohomish City Council desires to have full review of liquor license notices in the City, and to delegate to the Snohomish Police Chief authority to make written recommendations regarding such liquor license applications and renewals, and as appropriate and necessary, to request a hearing before the Liquor Control Board; and

WHEREAS, the Snohomish City Council has repealed SMC 2.06.035 (C) and SMC Chapter 2.20 establishing the Civil Service Commission as a consequence of contracting for law enforcement services; and

WHEREAS, the Snohomish City Council finds it desirable to provide for continuing citizen review of the Police Chief’s written recommendations regarding liquor licenses, as well as additional opportunity for citizen review of law enforcement priorities, coordination of Neighborhood Block Watch and similar law enforcement and public safety related interests and activities, and to improve coordination with Snohomish County Fire Protection District No. 4 regarding its public safety service priorities for the community; and

WHEREAS, the Snohomish City Council finds it desirable to establish and define the purpose, qualifications, terms, and duties for the PUBLIC SAFETY COMMISSION;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SNOHOMISH,
WASHINGTON DO ORDAIN AS FOLLOWS:**

Section 1. SMC Chapter 2.26 entitled “LIQUOR CONTROL/LIQUOR ADVISORY COMMITTEE” is hereby repealed in its entirety.

Section 2. A new Chapter 2.27 of the Snohomish Municipal Code is hereby adopted which shall read as follows:

**Chapter 2.27
PUBLIC SAFETY COMMISSION**

Sections:

- 2.27.010 Authority of Police Chief – Written Recommendation/Objection
- 2.27.015 Public Safety Commission Established
- 2.27.020 Membership—Appointment—Terms
- 2.27.030 Membership—Vacancy
- 2.27.040 Compensation
- 2.27.050 Meetings—Officers—Rules
- 2.27.060 Duties of the Commission
- 2.27.070 Staff Support
- 2.27.080 Public Records

2.27.010 Authority of Police Chief – Written Recommendation/Objection. The City Council hereby delegates to the Snohomish Police Chief or his/her designee authority to make written recommendations and objections regarding liquor license applications, following review and approval by the City Manager, and as appropriate and necessary, to request a hearing before the Liquor Control Board. The Council delegates to the Chief of Police, following review and approval by the City Manager, final authority regarding submittal to the Liquor Control Board of the City’s recommended approval or objection to a liquor license application or renewal thereof.

2.27.015 Public Safety Commission Established. There is hereby established an advisory commission that shall be known as the “Public Safety Commission.”

2.27.020 Membership—Appointment—Terms. The Public Safety Commission shall consist of seven (7) adult members who shall be qualified consistent with SMC 2.06.030 and 2.06.035 and appointed by the Mayor subject to confirmation by the City Council.

The Commission’s membership shall consist of residents of the City of Snohomish or owners of businesses which are located within the corporate City limits of the City of Snohomish. Among the seven (7) adult Commission members, the Mayor shall endeavor, but shall not be required to appoint one person who owns or manages a business that possesses a liquor license within the corporate City limits of Snohomish.

Initial appointments shall be made for terms of from one (1) to four (4) years so that the terms of not more than two (2) members shall expire in any one year. All subsequent appointments shall be for a term of four (4) years.

2.27.030 Membership—Vacancy. Vacancies on the Commission shall be filled in the same manner as original appointments and shall be made for the remainder of the term of the member being replaced. All members shall conform to the attendance requirements set fourth in SMC 2.06.020, and may be replaced or terminated in accordance with that section.

2.27.040 Compensation. No member of the Commission shall receive compensation for services performed.

2.27.050 Meetings—Officers—Rules. The Commission shall make its own rules for the election of officers and for time and place of meetings, PROVIDED, the Commission must be prepared to meet quickly and timely when the Liquor Control Board provides notice of application or renewal. Action on any recommendation of the Commission shall require a majority of the members be present.

2.27.060 Duties of the Commission.

- A. The Commission shall act in an advisory capacity to the Chief of Police or his/her designee.
- B. The Commission, at the request of the Chief of Police or City Manager, shall review the Police Chief's written recommendations to the Liquor Control Board for new applications or for renewal of liquor licenses, make recommendations, and either approve or disapprove the Police Chief's written recommendations. The Police Chief may consider the Commission's recommendations and comments but the Chief of Police has final authority regarding submittal to the Liquor Control Board of approval or objection to a liquor license or renewal thereof.
- C. The Commission may, but shall not be required to, take public comment.
- D. In addition to review of recommendations on liquor licenses, the Commission shall focus on public safety issues and problems specifically or generally in the following areas of public interest: whether the liquor license at the proposed location or to the applicant business will detrimentally impact the safety, health, or welfare of the community; review and discussion of law enforcement priorities; review and coordination of Neighborhood Watch, Snohomish Police Foundation, or similar programs; review and coordination of the Fire District's Community Emergency Response Team or similar programs; review and discussion of emergency fire and medical response priorities; and related matters.
- E. With the assistance of the Chief of Police or his/her designee, the Commission shall write an annual report to the City Council on its activities for the previous year and make special reports as necessary in response to specific Council requests.

2.27.070 Staff Support. The City of Snohomish shall provide staff support for the Commission, subject to the approval of the City Manager.

2.27.080 Public Records. The Commission shall keep a public record of its rules, procedures, and minutes of meetings conducted by the Commission.

Section 3. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance or its application to any person or circumstance be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such a decision or preemption shall not affect the validity or constitutionality of the remaining portions of this ordinance or its application to any other persons or circumstances.

Section 4. Effective Date. This Ordinance shall be effective five days after adoption and publication and pursuant to RCW 35A.13.200 may be published in summary fashion.

ADOPTED by the City Council and **APPROVED** by the Mayor this 20th day of March, 2012.

CITY OF SNOHOMISH

By _____
KAREN GUZAK, MAYOR

ATTEST:

APPROVED AS TO FORM:

By _____
TORCHIE COREY, CITY CLERK

By _____
GRANT K. WEED, CITY ATTORNEY

Date of Publication:

Effective Date (5 days after publication):