

COUNCILMEMBERS

Position No.

1. Tod Gunther
2. John Kelly
3. Michelle Gehring
4. Joachim Pestinger
5. Nicola McDonald
6. Greg Hogan
7. Scott Drennen



ORTING CITY COUNCIL

Study Session Meeting Agenda
Orting Multi-Purpose Center
202 Washington Ave. S, Orting, WA
February 20th, 2019
6PM.

CHAIR, DEPUTY MAYOR GREG HOGAN

1. CALL MEETING TO ORDER, PLEDGE AND ROLL CALL.

2. COMMITTEE REPORTS

Public Works

↓ *CM Drennen & CM Gunther*

Public Safety

↓ *CM Kelly & CM Pestinger*

Community and Government Affairs

↓ *CM McDonald & CM Gehring*

3. STAFF REPORTS

4. AGENDA ITEMS

A. AB19-06- Grant Policy- Proposed Amendments.

- *CM McDonald/ CM Gehring*

B. AB19-13- Ordinance No. 2019-1042, Relating To Nuisances, Amending Orting Municipal Code Title 5, Chapter 1, Section 3.

- *CM McDonald/ CM Gehring/ Scott Larson*

C. AB19-14- Resolution No. 2019-01, Amending The City Of Orting Personnel Policy.

- *Scott Larson*

D. AB19-15-Resolution No. 2019-05, Adopting The Continuity Of Operations Plan, ("COOP").

- *Mark Bethune*

E. AB19-16 Sign Code Update- Ordinance No. 2019-1041, Repealing and Replacing Orting Municipal Code Title 13, Chapter 7, Relating to Development Regulation Of Signs.

- *Mark Bethune*

F. AB19-17- Design Build Advisory/Management Services for the New City of Orting Public Works Building.

- *CM Drennen / CM Gunther*

G. AB19-18- Hillside Mower Purchase.

- *CM Drennen/CM Gunther*

H. Discussion- Public Comment prior to passage of Ordinance.

- *Mayor Penner*

I. Discussion-Fireworks.

- *CM Kelly / CM Pestinger*

J. Discussion-Moving Transportation Discussions from Public Works Committee to Public Safety Committee.

- *CM Kelly/ CM Pestinger*

K. Auditors Report.

- *Scott Larson*

5. **ADJOURNMENT**

Motion: To Adjourn.

Upcoming Meeting: Next Regular Meeting: February 27th, 2019, 7pm, (MPC)



**City Of Orting
Council Agenda Summary Sheet**

Subject: Grant Policy- Proposed Amendments.		Committee	Study Session	Council
	Agenda Item #:		AB19-06	AB19-06
	For Agenda of:	CGA 1.3.19 & 2.7.19	1.16.19 & 2.20.19	2.27.19
	Department:	Clerk/Council		
	Date Submitted:			
Cost of Item:	_ \$			
Amount Budgeted:	_ \$			
Unexpended Balance:	_ \$			
Bars #:				
Timeline:				
Submitted By:	City Clerk			
Fiscal Note:				
Attachments:	Proposed Grant Policy			
SUMMARY STATEMENT:				
<p>The City Council passed the Grant Policy on October 11, 2017. At that time, City staff wanted to formalize the grant process and establish a clear procedure which applicants could follow.</p> <p>Since passage the City made some changes, adding study sessions and scheduling the review and passage of the grants to align with the budget process. The requested changes are administrative in nature and do not make any substantive changes to the policy.</p> <p>Council first reviewed the proposed policy and sent the policy back to CGA to work on alternate solutions to replace the request for compiled statements. CGA is still working on alternate ideas to take the place of compiled statements, but recommend making the proposed housekeeping changes that are administrative in nature.</p>				
RECOMMENDED ACTION: Move Forward To The Consent Agenda For The February 27th, Meeting.				
FUTURE MOTION: To Approve And Adopt The Modifications To The Grant Policy As Presented.				



CITY OF ORTING

Grant Policy

Mission Statement: The City of Orting supports the development of services and organizations which bring significant value to its citizens and which serve a public purpose.

Section 1. Baseline Criteria for receiving grant funding.

Selected grant recipients may receive direct cash contributions from the City of Orting, pursuant to the following procedures and conditions. Grant funding is defined as direct cash donations to non-profit and/or section 501(c)(3) organizations which bring significant value to the citizens of Orting and which serve a public purpose.

All organizations requesting grant funding must comply with the following eligibility standards:

- A. Organizations must be legally tax exempt as defined by IRS section 501(c)(3) or non-profit status, and shall provide proof of the same to the City upon request.
- B. Pursuant to the terms of Section III herein, Organizations must carry their own insurance, and shall execute an agreement wherein the Organization agrees to use the grant funds for the public purpose identified in the Organization's application materials, and further agrees to indemnify the City and hold the City harmless (*see* Attachment A, hereto).
- C. Organizations must serve the residents within the City of Orting and/or the Orting School District.
- D. When approved, all materials distributed by the Organization as a result of the City's grant must contain the City of Orting logo.

The City will prioritize requests received from groups and activities by those groups that serve seniors, youth, the infirm or disabled and people in need within the City. Certain cohort groups are assumed to meet this criteria, including groups that serve senior citizens age 65 and older; people with disabilities who qualify for the Pierce County Property Tax exemption/reductions; and food bank recipients.

Section II. Process for seeking Grant:

1. All groups seeking grants from the City of Orting must submit a formal request in writing by August 1st of each calendar year for the following year. The request must include a cover letter specifying the dollar amount sought and how it will be used. The letter must include the following attachments:
 - A. Grant Application;
 - B. Previous year's financial statement;
 - C. Current year's budget documents;
 - D. Signed Contract Agreement
 - E. Proof of non-profit status, including but not limited to 501(c)(3) identification number.
 - F. Proof of liability insurance.
2. Grant seekers must submit one electronic copy and one original copy ~~10 copies~~ of their application and a cover letter and any attachments to the City Clerk or designee by August 1st. The copies of these materials will be reviewed by the Community and Government Affairs Committee in September, who will bring their recommendation to the full Council at a study session in September. ~~are distributed to the City Administrator, the Mayor, the seven members of the City Council for review during budget workshops, and the City Clerk for placement in the file. Those recommendations will be discussed during budget workshops.~~ Members of the public may view the file copy at City Hall during business hours or make a Public Records Request to the City Clerk to obtain a copy.
3. A representative of the group must attend the Community and Government Affairs ("CGA") Committee meeting in order to present the organizations request and answer any questions. The City shall provide the organization notice of the CGA Committee meeting at which the organization's application will be reviewed.
4. The CGA Committee will review applications and make a recommendation to the City Council. The City Council will make a final determination by Resolution during budget season.
5. Grant recipients shall execute a contract with City in substantially the same form as is depicted at Exhibit A hereto. The contract shall be executed prior to the receipt of grant funds.
6. Grant recipients shall report regarding the organization's use of the grant funds to the City Council in the manner set in the aforementioned contract and by the date set therein. Failure to report shall compromise the grant recipient's ability to receive future grant funding.

Section III. Insurance & Indemnity Requirements for City Grant.

All organizations selected to receive a grant pursuant to this policy shall execute an agreement with the City prior to the dispersal of funds, and said agreement shall include (but is not limited to) the following requirements pertaining to indemnification and insurance:

1. Indemnification / Hold Harmless

User shall defend, indemnify and hold harmless the City of Orting, its officers, officials, employees and volunteers from and against any and all claims, suits, actions, or liabilities for injury or death of any person, or for loss or damage to property, which arises out of the use of Premises or from any activity, work or thing done, permitted, or suffered by User in or about the Premises, except only such injury or damage as shall have been occasioned by the sole negligence of the City of Orting.

2. Insurance

A. Insurance Term

The User shall procure and maintain for the duration of the use or rental period insurance against claims for injuries to persons or damage to property which may arise from or in connection with the use of the facilities and the activities of the User and his or her guests, representatives, volunteers and employees.

B. No Limitation

User's maintenance of insurance as required by the agreement shall not be construed to limit the liability of the User to the coverage provided by such insurance, or otherwise limit the City of Orting's recourse to any remedy available at law or in equity.

C. Required Insurance

User's required insurance shall be as follows:

General Liability insurance shall be at least as broad as Insurance Services Office (ISO) occurrence form CG 00 01 covering premises, operations, products-completed operations and contractual liability. The City of Orting shall be named as an additional insured on User's General Liability insurance policy using ISO Additional Insured-Managers or Lessors of Premises Form CG 20 11 or an endorsement providing at least as broad coverage. The General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$1,000,000 general aggregate.

The insurance policy shall contain, or be endorsed to contain that the User's insurance coverage shall be primary insurance as respect the City of Orting. Any insurance, self-insurance, or self-insured pool coverage maintained by the City of Orting shall be excess of the User's insurance and shall not contribute with it.

D. City of Orting Full Availability of User Limits

If the User maintains higher insurance limits than the minimums shown above, the City of Orting shall be insured for the full available limits of Commercial General and Excess or Umbrella liability maintained by the User, irrespective of whether such limits maintained by the User are greater than those required by this contract or whether any certificate of insurance furnished to the City of Orting evidences limits of liability lower than those maintained by the User.

E. Certificate of Insurance and Acceptability of Insurers

The User shall provide a certificate of insurance evidencing the required insurance before using the Premises.

Insurance is to be placed with insurers with a current A.M. Best rating of not less than A: VII.



**City Of Orting
Council Agenda Summary Sheet**

Subject: Ordinance No. 2019-1042 Amending the Definition of Nuisance		Committee	Study Session	Council
	Agenda Item #:		AB19-13	
	For Agenda of:	2/7/19	2/20/19	2/27/19
	Department:	Administration		
	Date Submitted:	2/7/19		
Cost of Item:	N/A			
Amount Budgeted:	N/A			
Unexpended Balance:	N/A			
Bars #:	N/A			
Timeline:	ASAP			
Submitted By:	Scott Larson			
Fiscal Note:				
Attachments:	Draft Nuisance Ordinance			
SUMMARY STATEMENT: This ordinance would update the City's definition of nuisance to include violations of all code provisions, opening up the code enforcement penalties section for all violations not explicitly enumerated in OMC 5-1-3. Currently, there are parts of the code that if violated, do not provide the City with a way to induce compliance (carrot and stick).				
RECOMMENDED ACTION: Move Forward To "New Business" For Council Meeting On February 27 th , 2019.				
FUTURE MOTION: To Approve Ordinance No. 2019-1042 Relating To Nuisances, Amending Orting Municipal Code Title 5, Chapter 1, Section 3, Providing For Severability; And Establishing An Effective Date.				

**CITY OF ORTING
WASHINGTON
ORDINANCE NO. 2019-1042**

**AN ORDINANCE OF THE CITY OF ORTING,
WASHINGTON, RELATING TO NUISANCES, AMENDING
ORTING MUNICIPAL CODE TITLE 5, CHAPTER 1,
SECTION 3; PROVIDING FOR SEVERABILITY; AND
ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, the City of Orting is a non-charter optional municipal code city as provided in Title 35A RCW, incorporated under the laws of the state of Washington; and

WHEREAS, the current provisions of the Orting Municipal Code (“OMC”) include enumeration of public nuisances; and

WHEREAS, it is in the best interest of the City to declare all violations of City ordinances to be nuisances.

NOW, THEREFORE, the City Council of the City of Orting, Washington, do ordain as follows:

Section 1. OMC Title 5, Chapter 1, Section 3, Amended. Orting Municipal Code Title 5, Chapter 1, Section 3, is hereby amended to read as follows:

5-1-3: PUBLIC NUISANCES DECLARED:

- A. **Declaration of Nuisance:** Each of the conditions listed in subsection B of this section, unless otherwise permitted by law, is declared to constitute a public nuisance.
- B. **Nuisances Enumerated:** Whenever the enforcement officer determines that any of these conditions exist upon any premises, the officer may require or provide for the abatement thereof pursuant to this chapter: the erecting, maintaining, using, placing, depositing, causing, allowing, leaving or permitting to be or remain in or upon any private lot, building, structure, or premises, or in or upon any street, avenue, alley, park, parkway or other public or private place in the city, any one or more of the following places, conditions, things or acts to the prejudice, danger, or annoyance of others:
1. **Manure Or Rubbish Accumulations:** Accumulations of manure or rubbish except a compost pile so covered or concealed as not to affect the health, safety or depreciation of adjoining property;
 2. **Burning Refuse Or Hay:**
 - a. Burning or disposal of refuse, sawdust or other material in such a manner to cause or permit ashes, sawdust, soot or cinders to be cast upon the streets or alleys of the city, or to cause or

permit dense smoke, noxious fumes, ashes, soot or gases arising from such burning to become annoying or injurious to the health, comfort, or repose of the general public;

- b. The depositing or burning or causing to be deposited or burned in any street, alley, sidewalk, park, parkway, or other public place which is open to travel, any hay, straw, grass, grass clippings, paper, wood, boards, boxes, leaves, manure, or other rubbish or material;
3. Animal Carcasses: Carcasses of animals not buried or destroyed within twenty four (24) hours after death;
4. Stagnant Water: Ponds or pools of stagnant water;
5. Snow And Ice On Sidewalks: All snow and ice not removed from public sidewalks within a reasonable time after the snow and ice have ceased to be deposited thereon;
6. Tree Limbs Overhanging Sidewalks: All limbs of trees overhanging a public sidewalk which are less than ten feet (10') above the surface of said sidewalk, or overhanging a city street which are less than twelve feet (12') above the surface of said street;
7. Vines Or Climbing Plants Growing Into Streets: The existence of any vines or climbing plants growing into or over any street, public hydrant, pole or elect roller, or the existence of any shrub, vine or plant, growing on, around or in front of any hydrant, standpipe, sprinkler system connection or any other appliance or facility provided for fire protection purposes in such a way as to obscure the view thereof or impair the access thereto; or obstruct or interfere with the proper diffusion from the light from any streetlamp;
8. Obstructing Streets: Any use of property abutting on a public street or sidewalk or any use of public street or sidewalk which causes any obstructing of traffic and the free use of the streets or sidewalks; provided, that this subsection shall not apply to events, programs or parades authorized by the city council;
9. Poisonous Substances: Any poisonous or harmful substance which is reasonably accessible to persons or to animals;
10. Nauseous Pens Or Stables: The keeping, using or maintaining of any pen, stable, lot, place or premises in which any hog, sheep, goat, cattle, mink, fox, chinchilla, nutria, fowl or in which any other animal or bird may be confined or kept, in such a manner as to be nauseous, foul or offensive to any considerable number of persons; (1973 Code § 8.16.030; amd. 1996 Code)
11. Animals Making Noises: See section 5-8-5 of this title; (Ord. 793, 8-26-2004)
12. Dead Or Diseased Trees And Shrubs:
 - a. The existence of any dead, diseased, infested or dying tree that may constitute a danger to property or persons;
 - b. All shrubs, bushes, trees or vegetation which has grown and died and which is a fire hazard;

13. Weeds: All grass and/or weeds which exceed twelve inches (12") in height in a nonagricultural use;
14. Horticultural Pests: The existence of caterpillar infestations or other horticultural pests;
15. Blackberry Vines: Premises overgrown with blackberry vines;
16. Building Materials Storage; Permit: The storage or keeping on any premises for more than sixty (60) days of any used or unused building materials, without a special permit from the building inspector; provided, that nothing herein shall:
 - a. Prohibit such storage without a permit when done in conjunction with a construction project for which a building permit has been issued and which is being prosecuted diligently to completion;
 - b. Prohibit such storage without a permit on the premises of a bona fide lumberyard, dealer and building materials or other commercial enterprise when the same is permitted under the zoning ordinance and other applicable ordinances;
 - c. Make lawful any such storage or keeping when it is prohibited by other ordinances or laws;
17. Dilapidated Fence: The existence of any fence or other structure or thing on private property abutting or fronting upon any public street, sidewalk or place which is in a sagging, leaning, fallen, decayed or other dilapidated or unsafe condition;
18. Drainage Onto Sidewalk: The existence of any drainage onto or over any sidewalk or public pedestrian way;
19. Privies And Cesspools: Privies, vaults, cesspools, sumps, pits, or like places;
20. Trash Or Abandoned Materials:
 - a. Any tin cans, bottles, glass, cans, ashes, small pieces of scrap iron, wire, pipe, metal articles, bric-a-brac, broken stone or cement, broken crockery, broken glass, broken plaster, and all other trash or abandoned material, unless the same is kept in covered bins or metal receptacles approved by the building inspector;
 - b. Any trash, litter, rags, accumulations of empty barrels, boxes, crates, packing cases, mattresses, bedding excelsior, packing hay, straw, or other packing material, lumber not neatly piled, scrap iron, tin, pipe, and other metal not neatly piled;
21. Dangerous Buildings: Any unsightly and dangerous building, billboard or other structure, or any old, abandoned or partially destroyed building or structure, or any building or structure commenced and left unfinished;
22. Junkyards Or Dumping Grounds Not Properly Fenced: All places not properly fenced which are used or maintained as junkyards or dumping grounds, or for the wrecking, disassembling, repair or rebuilding of automobiles, trucks, tractors or machinery of any kind, or for the storing

or leaving of worn out, wrecked or abandoned automobiles, trucks, tractors, or machinery of any kind or of any of the parts thereof, or for the storing or leaving of any machinery or equipment used by contractors or builders or by other persons, which said places are kept or maintained so as to essentially interfere with the comfortable enjoyment of life or property by others;

23. Discarded Vehicles: Deposit, keep or leave or to permit to be deposited, kept or left in any place accessible to children, or in any place viewable from a public street or alley, any abandoned, unused, nonrunning or discarded automobile, truck or other such vehicle, or any vehicle hulk or any part thereof. For the purposes of this subsection "abandoned, unused, nonrunning" refers to a vehicle which is not movable under its own power and which has been in a stationary position for more than fourteen (14) days;
24. Repairing Vehicles On Streets: Repair of an automobile, truck or other motor vehicle of any kind upon the public streets, alleys or other public property of the city;
25. Unwholesome Meat Or Hides: Any putrid, unsound or unwholesome bones, meat, hides, skins, or the whole or any part of any dead animal, fish or fowl, butcher's trimmings and offal, or any waste vegetable or animal matter in any quantity, garbage, human excreta or other offensive substance; provided, nothing contained in this chapter shall prevent the temporary retention of waste in receptacles in the manner approved by the building inspector of the city;
26. Offensive Businesses: The erection, continuance or use of any building, room or other place in the city for the exercise of any trade, employment or manufacture which, by occasioning noxious exhalations, offensive odors or other annoyances, is discomforting or offensive or detrimental to the health of individuals or of the public;
27. Playing Mechanical Musical Instrument To Attract Customers: The playing or causing to be played, in front of any building where any show, moving picture exhibition or theatrical performance is given, or in the open vestibule or area of any building, of any automatic or mechanical musical instrument for the attraction of customers;
28. Loudspeakers, Unnecessary Use: Making, causing or permitting to be made by means of any speaker or other sound amplifying device, or horn or other mechanical device, or by outcry, loud speaking, singing or by any other means of discordant and unnecessary noise of any kind which annoys any considerable number of persons lawfully in the immediate area;
29. Abandoned Excavations: Any unguarded or abandoned excavation, pit, well, or holes which would endanger safety.

C. In addition to the nuisances declared in subsection (B) above, all violations of City of Orting ordinances are found and declared to be detrimental to the public health, safety, and welfare and are further found and declared to be nuisances. It is unlawful and a violation of this chapter, whether by act or omission, to cause, create, maintain, suffer, or allow a nuisance to occur, exist, or remain. Nuisances create public harm. Prevention and correction of nuisances are necessary to prevent public harm.

Section 2. Severability. Should any section, 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 pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Codification of Amendments. The City Council authorizes the City Clerk to correct any non-substantive errors herein, codify the amendments, and publish the amended code.

Section 4. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 27TH DAY OF FEBRUARY, 2019.

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Jane Montgomery, City Clerk,CMC

Approved as to form:

Alexandra L. Kenyon
Kenyon Disend PLLC
Acting City Attorney

Filed with the City Clerk: 2.7.19
Passed by the City Council: 2.27.19
Date of Publication: 2.1.19
Effective Date: 3.6.19



**City Of Orting
Council Agenda Summary Sheet**

Subject: Resolution No. 2019-01 Adopting an Amended Personnel Policy		Committee	Study Session	Council
	Agenda Item #:		AB19-14	AB19-14
	For Agenda of:		02.20.19	2.27.19
	Department:	HR		
	Date Submitted:	01/10/2019		
Cost of Item:	<u>N/A</u>			
Amount Budgeted:	<u>N/A</u>			
Unexpended Balance:	<u>N/A</u>			
Bars #:	N/A			
Timeline:	N/A			
Submitted By:	Scott Larson			
Fiscal Note: N/A				
Attachments: Personnel Policy, Draft Resolution				
SUMMARY STATEMENT:				
<p>The City has reviewed and revised its Personnel Policy to bring it in line with our risk pool standards, best practices and current state and federal law. This policy will govern employees except where there is a conflict with a Collective Bargaining Agreement, or State or Federal Law, in which case either the Collective Bargaining Agreement or State or Federal Law would supersede the Policy.</p> <p>The Management team also reviewed the policy at their management meeting on February 12th, 2019.</p>				
RECOMMENDED ACTION: Move To The Consent Agenda Of January 30, 2019.				
FUTURE MOTION: To Adopt Resolution No. 2019-01, Amending The City Of Orting Personnel Policy, And Setting An Effective Date.				

**CITY OF ORTING
WASHINGTON
RESOLUTION NO. 2019-01**

**A RESOLUTION OF THE CITY OF ORTING,
WASHINGTON, AMENDING THE CITY OF ORTING
PERSONNEL POLICY, SETTING EFFECTIVE DATE.**

WHEREAS, the City of Orting maintains a Personnel Policy, which governs conduct of Employees, generally, and the policy was last updated in 2008; and

WHEREAS, the City Council desires to amend its Personnel Policy, and provide updates where best practices and law has changed; and

NOW, THEREFORE, the City Council of the City of Orting, Washington, does resolve as follows:

Section 1. City Council Rules of Procedure, Amended. The City Personnel Policy, as last amended in 2008, is hereby amended to read as attached hereto as Exhibit A.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Resolution, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Resolution be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Resolution or its application to other persons or circumstances.

Section 3. Effective Date. This Resolution shall take effect and be in full force immediately upon its passage.

**PASSED BY THE ORTING CITY COUNCIL AT A REGULAR MEETING
THEREOF ON THE 27th DAY OF FEBRUARY, 2019.**

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Jane Montgomery, City Clerk, CMC

Approved as to form:

Alexandra Kenyon
Kenyon Disend, PLLC
Acting City Attorney

DRAFT



CITY OF ORTING
PERSONNEL POLICIES & PROCEDURES MANUAL

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CITY OF ORTING PERSONNEL POLICIES & PROCEDURES MANUAL

1. INTRODUCTION

1.01 Purpose.

The City of Orting places the highest value on its employees. We wish to see satisfied workers, with the support necessary to achieve the objectives of each position. The City believes that clear, consistent personnel policies contribute to greater job satisfaction. All employees and new hires are required to be familiar with these policies.

These personnel policies serve as a guide to the City of Orting's current employment practices and procedures. The City of Orting retains the right to repeal, suspend, revoke, terminate, revise or modify these policies and every effort will be made to promptly inform employees of any changes to these policies.

If an employee has any questions about the policies herein or would like to seek clarification, the employee must promptly contact his or her supervisor or the City Personnel Director.

1.02 Intent of Policies.

These policies, and this handbook, are not a contract, express or implied, or any type of promise or guarantee of specific treatment upon which an employee may rely, or a guarantee of employment for any specific duration. Although the City desires long-term employment relationships, it is recognized this may not always occur and either the employer or employee may decide to terminate employment. Unless specific rights are granted in written employment contracts, civil service rules, or collective bargaining agreements, all employees of the City are considered at-will employees and may be terminated from City employment at any time, with or without cause and with or without notice. No supervisor, Department Manager or representative of the City, other than the Mayor or their designee, has authority to enter into any agreement with an employee for employment for any specified period or duration, or to make any written commitments to the contrary.

These personnel policies apply to all City of Orting employees. In cases where these policies conflict with any Civil Service rules and regulations, provisions of a collective bargaining agreement, City ordinance or state or federal law, the terms of that law, rule or agreement prevail. In all other cases, these policies apply. In the event of the amendment of any ordinance, rule, or law incorporated in this document or upon which these provisions rely, these personnel policies shall be deemed amended in conformance with those changes.

As the need arises, the City Council may modify these policies and, by ordinance or resolution, may enact changes to compensation or benefit levels. The City Administrator may deviate from these policies in particular situations, especially in an emergency, to achieve the primary mission of serving the City's citizens. Employees may request specific changes to these policies by submitting suggestions to their Department Manager or the City Administrator or City Personnel Director.

The City retains the right to administer or implement these policies appropriate to the particular situation or occurrence. The City also retains the right to revise, supplement or rescind these policies without prior notice to employees. However, union representatives for the respective bargaining units representing City

employees will be given a copy of any proposed changes to these policies for a 14-day (two week) comment period prior to implementation.

1.03 Equal Employment Opportunity Policy.

The City of Orting is an Equal Opportunity Employer. All employees have the right to work in a discrimination-free environment. The City will not permit or condone any unlawful discrimination in the workplace. All employment decisions will be made without regard to race, color, sex, sexual orientation/gender identity, sexual identity, creed, religion, age, marital status, national origin, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a person with a disability, genetic information, military or honorably discharged veteran status, or any other basis prohibited by state, local or federal laws.

If you experience or witness conduct that you feel is discriminatory, please promptly raise the matter for discussion and review so that the City can investigate and take appropriate action. You are encouraged to approach and report observations and experiences to your supervisor or the City Administrator or the City Personnel Director, as you feel is appropriate.

Retaliation against an employee who brings a complaint of discrimination, reports allegations of discrimination, or participates in an investigation of a complaint is prohibited and shall not be tolerated.

1.04 Reasonable Accommodation of Disabilities.

The City complies with the Americans with Disabilities Act (ADA) and all applicable state and local fair employment practices laws, and is committed to providing equal employment opportunities to qualified individuals with disabilities. Consistent with this commitment, the City will provide a reasonable accommodation to qualified employees with a disability requesting the reasonable accommodation if such an accommodation will allow the individual to perform the essential functions of the job, unless doing so would create an undue hardship or a direct threat to the health or safety of others.

If you would like to request reasonable accommodation, please contact the City Administrator or the City Personnel Director who will work with you and your health care provider to evaluate the need for reasonable accommodation.

1.05 Reasonable Accommodation of Religious Beliefs.

The City respects the religious beliefs and practices of all employees and will make, upon request, an accommodation for such observances when a reasonable accommodation is available that does not create an undue hardship for the City's business or operations. If you would like to request reasonable accommodation, please contact the City Administrator or the City Personnel Director.

1.06 Workplace Anti-Harassment Policy.

It is the City of Orting's policy to foster and maintain a work environment free from discrimination, harassment, and intimidation. The City will not tolerate unlawful harassment of any employee, whether from a co-worker, member of the public, or other third party.

Employees are expected to show respect for each other and the public at all times, despite individual differences.

Harassment is defined as verbal or physical conduct that demeans or shows hostility or aversion toward another employee or member of the public due to that individual's race, color, sex, sexual orientation/gender identity, sexual identity, creed, religion, age, marital status, national origin, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a person with a disability, genetic information, military or honorably discharged veteran status. Examples of unlawful harassment include, but are not limited to, slurs or demeaning comments to employees or members of the public relating to race, ethnic background, gender, religion, sexual orientation (including gender identity), age, disability, marital status, military status or any other legally protected status.

Any conduct implicating a protected status that has the effect of substantially interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment may be considered harassment. Any harassment of a fellow employee or member of the public will be cause for disciplinary action, up to and including termination of employment.

Examples of behaviors which are inappropriate and/or illegal on the job referring to (but not limited to) gender, ethnic background, race or any other protected status include negative or offensive comments; jokes; slang names or labels; talking about or calling attention to another employee's physical or mental capacity in a derogatory or offensive manner; displaying nude or sexual pictures, cartoons or calendars on City property.

Retaliation against an employee who brings a complaint of discrimination or harassment, reports allegations of discrimination or harassment, or participates in an investigation of a complaint is prohibited and shall not be tolerated. "Retaliation" means an adverse job action(s) taken against an employee because he or she has complained about discrimination or harassment, given a statement about a discrimination or harassment investigation, participated in an investigation, or supported a complainant.

See Discrimination/Harassment Complaint Procedure for reporting guidance.

1.07 Sexual Harassment Prohibited.

Sexual harassment is a form of discrimination and it is illegal and violates federal and state law and the City's policies. Sexual harassment is also inappropriate and offensive and will not be tolerated by the City of Orting. The City considers sexual harassment a serious offense, and an employee who harasses other employees or members of the public will be disciplined as in any other case of serious employee misconduct.

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of employment position or compensation;
- b. Submission to or rejection of such conduct is used as the basis for employment decisions affecting the member; or
- c. Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment is not welcome and is personally offensive, interfering with the effectiveness or creating discomfort on the job.

Written examples of sexual harassment include suggestive or obscene letters, emails, notes and invitations.

Verbal examples include derogatory comments, slurs, unwanted sexual comments, suggestions, jokes or pressure for sexual favors. Physical examples include assault, pats or squeezes, repeated brushing against someone's body, touching, impeding or blocking movements. Visual examples include leering, sexually-oriented gestures, or display of sexually suggestive or derogatory objects, pictures, cartoons, or posters. Other examples include the threat or insinuation that lack of sexual favors will result in reprisal, such as: withholding support for job appointment, promotion or transfer; rejection on trial period; punitive actions; change of assignments; or a poor performance report.

It is the policy of the City of Orting to prevent and/or eliminate sexual harassment in the workplace, as well as to alleviate any effects sexual harassment may have on the working conditions, or work environment, of an employee. In response to reports of sexual harassment, the City will seek to protect all parties involved from retaliation, false accusations, or future harassment and, where appropriate, will take prompt and adequate remedial measures.

Employees engaging in sexual harassment are subject to discipline, up to and including termination. Retaliation against an employee who brings a complaint of harassment, reports allegations of harassment, or participates in an investigation of a complaint is prohibited and shall not be tolerated. "Retaliation" means an adverse job action(s) taken against an employee because he or she has complained about harassment, given a statement about a harassment investigation, participated in a harassment investigation, or supported a harassment complainant.

See Discrimination/Harassment Complaint Procedure for reporting guidance.

1.08 Discrimination/Harassment Complaint Procedure.

Each employee is responsible for creating an atmosphere free of discrimination and unlawful harassment in any form. Each employee is responsible for respecting the rights of co-workers and others, including the public.

The procedure an employee is to follow: The following procedure outlines the steps an employee should follow if the employee believes he/she is experiencing harassment or discrimination on the job:

- (1) If comfortable doing so, identify the offensive behavior to the harasser and request that the offensive behavior stop. If such informal, direct communication is impractical or uncomfortable, or if the offensive behavior does not immediately cease, then proceed to Step (2); and
- (2) Report the incident(s) to the immediate non-involved supervisor within the department, the Department Manager, City Personnel Director, and/or the City Administrator.

When possible, reports should include specific allegations, date(s) of the occurrence(s), the individuals involved, and the names of any witness(es). A non-involved supervisor is defined as the first supervisor in an employee's department who is not the object of the complaint and is not otherwise involved in the harassing behavior. In the event that there is no non-involved supervisor, and the behavior involves the Department Manager, the City Personnel Director, and the City Administrator, the employee should report the incident to the City Attorney.

Any employee involved in reporting a concern, or who participates in an investigation, may request that his or her identity be kept confidential. City officials and those involved in the investigation will honor this request to the extent possible under law, business necessity, and the needs of the investigation.

Confidentiality, however, cannot be guaranteed.

The City prohibits retaliation against those who have reported a concern in good faith or participated in the investigation. Violations of the City's prohibition on retaliation will result in disciplinary action, up to and including termination

Employees are encouraged to take all action necessary to correct a workplace problem or harassment, so problems can be identified and corrected. They should not refrain from taking these steps due to a fear of retaliation. If retaliation occurs, promptly report such conduct in the same manner as outlined in this section. With a prompt complaint from employees, the City will take all appropriate steps to correct a problem of harassment, discrimination or retaliation in the workplace and will assist the employee affected if further problems arise. Thus, employees are encouraged to utilize these procedures to resolve concerns about workplace discrimination before they allow such conduct to interfere with their performance or such conduct affects their satisfaction with the workplace.

The procedure a supervisor is to follow: Supervisors who are aware of situations involving discrimination, harassment or retaliation must respond to such situations regardless of whether or not a complaint is received. Supervisors who receive complaints or become aware of such incidents must:

- (1) Take prompt action to insure the behavior is not repeated; and
- (2) Promptly notify the appropriate director and the City Personnel Director or the City Administrator of the allegations, including all information known to or received by the supervisor.

Supervisors shall be required to take the above steps and are assigned responsibility for implementing this policy, ensuring compliance with and knowledge of its terms, and for taking immediate and appropriate corrective action if they witness inappropriate behavior or receive a complaint.

Supervisors must maintain open channels of communication to permit employees to raise concerns of sexual or other workplace harassment or discrimination without fear of retaliation, promptly stop any observed harassment or discrimination, and treat harassment and discrimination matters with sensitivity, confidentiality, and objectivity.

A supervisor's failure to carry out these responsibilities may result in disciplinary action up to and including termination.

The investigation process: Employees are prohibited from interfering in any investigation or retaliating against anyone who in good faith has filed a complaint or participated in an investigation of such a complaint. The City requests full, good faith cooperation during the investigation process.

It is the policy of the City that all complaints of discrimination or harassment shall be promptly and thoroughly investigated. The investigation may include interviews with the directly involved parties, and where necessary, with employees who may have observed the alleged harassment or who may be similarly situated with the complaining employee, and who may be able to testify to similar experiences with the accused employee.

The individual assigned to investigate the complaint will have full authority to investigate all aspects of the complaint. Investigative authority includes access to records and the cooperation of any employees involved. No influence will be used to suppress any complaint and no employee will be subject to retaliation

or reprisal for filing a complaint in good faith, encouraging others to file a good faith complaint or for offering testimony or evidence in any investigation. Retaliation is prohibited. Employees participating in an investigation shall refrain from discussing the investigation process, interviews, or issues under investigation with other potential witnesses to prevent harmful gossip and to prevent the possibility of tainting the investigation, to the extent permitted by law.

All complaints will be kept confidential to the fullest extent possible during the investigation, and will be disclosed only as necessary to allow an investigation and respond to the complaint and as consistent with the law. Confidentiality, however, cannot be guaranteed. The Public Records Act may require disclosure of an investigation report after an investigation has concluded.

The results of each investigation shall be written and a finding made regardless of whether or not there is a basis for disciplinary action. Disciplinary action, if necessary, may range from a verbal warning to termination, depending on the seriousness of the harassment. If an investigation determines the accused employee engaged in harassment, discrimination or retaliation, appropriate action will be taken, as in the case of any other serious employee misconduct. Such actions may include warnings, verbal and/or written reprimands, a letter to the employee's file, or an employee transfer, demotion, suspension or termination. An employee may at his or her request have a statement of rebuttal or correction placed in his/her personnel file.

Retaliation is prohibited against an employee who brings a complaint of discrimination, reports allegations of discrimination, or participates in an investigation of a complaint and shall not be tolerated.

1.09 Employment of Relatives.

Business necessity requires the establishment of policies regarding the employment of immediate family and members of the same household in order to avoid conflicts of interest or the perception of favoritism and to assure and maintain accountability.

The immediate family or any member of the same household of current City employees will not be employed by the City under any of the following circumstances:

- (1) When one of the parties would have authority or practical power to supervise, appoint, remove, influence salary or compensation decisions or discipline the other;
- (2) When one party would handle confidential material that creates improper or inappropriate access to that material by the other;
- (3) When one party would be responsible for auditing the work of the other; or
- (4) When other circumstances exist that might lead to potential conflict or appearance of a conflict among the parties or conflict between the interest of one or both parties and the best interests of the City.

1.10 Change in Circumstances/ Notification Requirement for Consensual Romantic Relationship.

Employees who become romantically involved with each other, begin sharing living quarters with one another, or become related by marriage must notify their manager and the City Personnel Director of the relationship and confirm in writing that it is consensual. Employees involved in a consensual relationship must conduct themselves in a professional manner at all times (both during and following the termination

of the relationship, as applicable) and the relationship should not affect city business. If the relationship ends, the employees must conduct themselves professionally, and notify the City Personnel Director immediately should one party become hostile toward the other while at work. If employees involved in a consensual relationship are unable to work together in a professional, respectful and/or courteous manner as a result of the relationship and or a break-up, one or both of the employees may be required to terminate employment with the City. Employees involved in a consensual relationship may not supervise each other or otherwise create an actual or apparent conflict of interest. If employees involved in a consensual relationship occupy positions in which one directly or indirectly supervises the other or an actual or apparent conflict otherwise exists, the City will consider a transfer the least tenured employee, to the extent that such a transfer is available and/or feasible. However, if a transfer is not possible or practical, one of the employees will be required to terminate their employment relationship with the City. If the employees are unable to agree which employee is to terminate their employment relationship, the City will make the determination based on the needs and operations of the City.

1.11 Contact with News Media.

The Mayor or his or her designee or the City Administrator or his or her designee shall be responsible for all official contacts with the news media, including answering of questions from the media. The City Administrator may designate specific employees to give out procedural, factual or historical information on particular subjects. City employees will refrain at all times from disclosing confidential City information to the media. A violation of this provision may subject an employee to discipline, including termination.

2. EMPLOYMENT AND CLASSIFICATION

At the City of Orting, we want you to understand how your wages, benefits and job duties are affected by your employee classification and your job description or title. The City has a classification system that groups positions for compensation purposes based on knowledge, complexity, accountability and working conditions. More information about the classification system is available from the City Personnel Director.

The following are the main job classifications which are used throughout this Handbook.

Regular Full-Time Employee: Any employee who is regularly scheduled to work forty (40) hours per work week on a continuing basis.

Regular Part-time Employee: An employee who is regularly scheduled to work less than forty (40) hours per work week, on a continuing basis.

Temporary Employee: An Employee working a full or part-time schedule for a specified project or period of less than one year (i.e. on-call, seasonal, Provisional Police Officer, emergency staff appointment, etc.).

Reserve Police Officer: A Police Officer who receives no compensation for volunteer police work performed but is entitled to paid sick leave benefits.

Non-exempt Employee: An employee who is not exempt from the minimum wage, overtime, and timecard provisions of the wage and hour laws. Such employees may receive an hourly wage or a salary and are eligible for overtime pay at the rate of one and one-half times the regular rate of pay for all hours worked in excess of 40 hours in the work week.

Exempt Employee: An employee who is exempt from the minimum wage, overtime and timecard provisions of the wage and hour laws. Exempt employees generally include supervisory, administrative, and professional employees who are paid on a salary basis. When employees are hired, they will be informed of whether their position is exempt or non-exempt. Exempt employees are not entitled to overtime but may be eligible for additional time off pursuant to the City's Overtime and Compensatory Time off Exempt Employee Policy within this handbook.

2.01 Employee Position Classifications.

A position classification plan will be maintained by the City based on investigation and analysis of the duties and responsibilities of each position. The completed plan will consist of a classification specification for each position, including appropriate title, description of duties and responsibilities, and minimum requirements and/or desirable training, experience or other qualifications.

The Mayor or his or her designee is responsible to assure the preparation of a plan which includes a specification for each classification. Specifications will be prepared after consultation with supervisors and other persons technically familiar with the duties and responsibilities of the job to be performed. Each position will be assigned by the Mayor to one of the classifications of the approved classification plan. Employees will be notified of the classification of their position. The title, as it appears on the specification, will be used to designate the position on official records and payroll.

The classification specifications are hereby declared to have the following definition and scope:

- a) They are explanatory only and not restrictive.

- b) In determining a position classification, the specification will be considered as a whole, comparing general duties, responsibilities, minimum qualifications and relationship to other positions in order to obtain an inclusive picture of the position and place it in the appropriate classification.
- c) The outline of principal duties of work performed applies to general duties or tasks and is not intended to prescribe the specific duties of a given position, nor to limit the alteration or modification of detailed tasks involved in the duties of any position, so long as they remain within the general definition of the classification.
- d) The classification specification may include additional requirements which are determined to be necessary for the best interests of the City. These requirements may include possession of a valid motor vehicle operator's license, physical ability, or any other bona fide occupational qualifications pertinent to the positions covered.
- e) Nothing in the classification specification is to be interpreted as restricting a supervisor from assigning an employee of one classification to perform some of the duties of a higher or lower classification for a limited period of time.

A classification may be reclassified at the request of the department manager, employee, or City Administrator when it appears that the duties and responsibilities of an existing classification are changed. Reasons for the reclassification request are to be stated in writing and the Mayor will determine whether the present classification is correct or whether a reclassification is necessary. New or revised classification specifications will be prepared as provided in these policies and will become a part of the classification plan.

When reclassification occurs, an employee occupying the position may be retained in the position provided that the Mayor determines that the reclassification results from an official recognition of a change in duties and responsibilities which has already occurred and is a long-term inequity of classification. If the reclassification results in a higher maximum salary, such reclassification may constitute a promotion and the rules governing promotion with regard to salary apply. If the reclassification results in a lower maximum salary, such reclassification may constitute a demotion and the rules governing demotion with regard to salary apply.

2.02 Recruitment, Applications, and Selection.

This policy outlines the procedures for completing a job notice, posting a job vacancy, and extending an offer of employment. Recruiting practices are conducted solely on the basis of ability, merit, qualifications and competence without regard to any individual's sex, race, color, religion, national origin, sexual orientation, pregnancy, age, marital status, military status, genetic information, disability or any other characteristic protected by law.

Available positions are publicized for a reasonable period by announcements posted on city department bulletin boards and by such other means as deemed appropriate. Announcements may specify the title, rate of pay, duties to be performed and required minimum qualifications. All current employees are encouraged to apply for available positions if they so desire. The City of Orting is an equal opportunity employer and selection for any position will be based solely on merit, efficiency and fitness for that position.

Job Posting

An internal job posting will be placed in appropriate locations to allow current employees, who are qualified, an opportunity to apply for a vacant position. Notices will be posted for five (5) days. If it is determined that consideration of outside applicants is in the City's best interests, staff will begin the process of outside recruitment following the five (5) day internal posting period. If the City Administrator determines that there are unlikely to be any qualified internal candidates, for instance entry-level positions, outside recruitment can happen concurrently with the internal job posting. Current City employees are encouraged to apply for job openings.

Application for Employment

Each applicant shall complete and sign a City of Orting application form prior to being considered for any position. Resumes may supplement, but not replace, the City of Orting official application. The City "Application for Employment" form shall continue to be in conformance with all State and Federal laws pertaining to pre-employment inquiries. All application forms must be fully completed, signed and dated by the applicant to be valid. Applications will be accepted for open positions and will be considered only for that position. All applications must be received no later than 4:30 p.m. on the published closing date for filing. A closing date may be extended by the City Administrator. Applications, whether accepted or rejected, will not be returned. All statements submitted on the employment application or attached resume shall be subject to investigation and verification prior to appointment. Falsification of employment information may be grounds for rejection of an applicant or subsequent dismissal.

Confirmation Employment

The City may require the City Council's confirmation of employment for certain positions as provided by City Ordinance.

2.03 Promotions.

The City encourages promotion from within the organization whenever possible. The Mayor shall determine whether the promotional process for a position will be competitive or appointive. Before advertising a position to the general public, the City Administrator may choose to circulate a promotional opportunity within the City. Promotional opportunities may be posted on the City bulletin board. The City reserves the right to seek qualified applicants outside of the organization at the Mayor's sole discretion.

A promotion is an appointment to a position in a classification which has a higher maximum salary rate than the employee's present classification. The Mayor will determine the salary step of the promoted employee in the new salary range on the date of the promotion. The salary step of the promoted employee will be set so that the promoted employee's pay level is no more than two salary steps higher than the employee's step prior to the promotion. If step one of the salary range to which the employee has been promoted is a pay level more than two steps higher than the promoted employee's previous salary step, then the employee shall be assigned to step one of the higher salary range. When the date of promotion and the merit/step increase date coincide, the merit/step increase is paid prior to the promotional increase.

New Trial Period: After promotion to a new position, a new trial period of six (6) months must be completed. Successful completion of the trial period does not alter the employee's at-will employment. The Mayor may authorize or require an extension of a trial period for up to an additional six months. In the case of unsatisfactory performance, the employee may be transferred back to the previous position held by the employee, if vacant, or to another position fitting the employee's skills and qualifications, within the

limits of vacant authorized positions, or if no such vacant position is available in the Mayor's sole discretion, the employee may be terminated.

Temporary Promotions

A temporary appointment may be made to any position in the City of Orting. Temporary appointments are for a limited period of time and employees are not entitled to city benefits unless authorized by the Mayor as special conditions. All conditions of a temporary appointment will be specified in the letter of appointment or contract. Seasonal employment is considered temporary appointment status. Temporary employees do not attain regular status in the classification and may be terminated at will.

Acting Promotions

When the need arises to fill a position due to approved leave of absence, disciplinary actions or when a vacancy exists, a current regular status employee may be appointed "acting" to a position of higher pay grade or to a position of differing classification. Such appointments are for a limited time to fill a temporary vacancy and should not create a job expectancy. Employees will not attain regular status in the higher position from an acting appointment.

2.04 Hours of Work.

Everyone benefits from clarity regarding hours of work and scheduling. The following information may be helpful:

Work Week: For payroll and accounting purposes, the City of Orting's work week begins at 12:01 a.m. Monday and ends at midnight on Sunday.

Work Day: The normal work day for employees other than police department commissioned personnel consists of eight hours plus an unpaid meal period. Some employees or positions may have different work days determined by the needs of the City.

Scheduling: Work schedules are established by management. Unless otherwise scheduled, all employees are expected to work Monday through Friday. Requests for changes in schedules or for particular days off should be made in writing in a timely fashion and approved in advance by your supervisor. Some variation in schedule may be granted by mutual agreement between you and the City, so long as the needs of the department are met.

Rest Periods: All non-exempt employees receive one 15-minute break for each four hours of working time. The break should occur near the mid-point of each four-hour work period, but scheduling will be done by your supervisor. Break periods are paid and may be used to extend a lunch period or to leave early provided that the total amount of time taken does not exceed the break and lunch periods.

Meal Periods: If you are non-exempt and you work more than five hours in a day, you will have a meal break two to five hours into your shift. The normal meal break is a 30-minute unpaid period, usually near the mid-point of your shift. The exact time and duration of your meal break will be scheduled by your supervisor to ensure appropriate coverage.

Rest/Meal Periods for Police Department Employees: While at lunch or on a rest/relief period, all Police Department commissioned personnel will be subject to call.

Breaks for Nursing Mothers: Non-exempt employees who are nursing mothers are entitled to unpaid breaks during the workday for the purpose of expressing breast milk. Absent undue hardship, this entitlement shall continue for one year following childbirth. The City will provide a clean, suitable, and private location for these breaks.

Overtime: Overtime is time worked in excess of forty hours of work in a work week. Holidays, Vacation and Sick leave are not considered time worked. The regular work week is 40 working hours for most employees, but on certain occasions, some overtime may be required. Any overtime work must be authorized by a supervisor in advance.

2.05 Attendance.

You are a member of a team and each member has an important contribution to make. Timely performance of your job is essential to maintaining the high quality service our City government provides. It also shows your respect for your fellow employees who must assume your duties in your absence. You must report to work regularly and on time, in proper attire, with proper equipment, and ready to work at the starting time. If you will be unable to report for work, will be late, or need to leave early, notify the City Administrator, City Personnel Director, and/or your supervisor as far in advance as possible. Failure to notify the City in a timely and appropriate manner may result in discipline. You may be requested to present a physician's statement verifying the need for sick leave after being absent for more than three days.

An employee who is absent without notification for three consecutive days or shifts will be considered to have abandoned his/her position and may be terminated, subject to the provisions of the Washington Paid Sick Leave Act.

2.06 Personnel Records & Files.

Generally speaking, without specific written authorization from the employee, only the following will be released to anyone outside the employ of the City: job title, department, hire date, separation date and base salary. Generally, only the employee, the City Clerk, the City Treasurer/City Personnel Director and the City Administrator will have access to your personnel file internally.

Personnel records will show the employee's name, title of position held, the department assigned, salary, change in appointment status, training received (with the exception of Police in-service training maintained in Departmental files), performance evaluations, fringe benefits administration, including vacation and sick leave rates of accumulation and use, notes regarding disciplinary action or other counseling sessions, and such other information as may be considered pertinent.

When you move, change your telephone number or experience other changes in your personal information, please make sure you inform the City Clerk's Office and/or the City Treasurer's Office of such changes. In this way, your personnel records will remain accurate and up-to-date.

You may review your personnel records at any mutually convenient time during normal business hours. Should you wish to do so, please make an appointment with the City Treasurer. The City Clerk or City Treasurer will be present during any such review. While a City employee, you may include a personal memorandum in your file if you feel it is necessary to clarify or rebut file information.

Personnel records that are not confidential will be maintained and destroyed in accordance with established policy regarding retention of public records.

2.07 Performance Reviews.

Regular performance reviews conducted at appropriate intervals benefit you and the City by providing a written record of your performance and giving you the opportunity to discuss with your supervisor how well you are meeting the City's expectations, to clarify your job responsibilities, to set mutually agreed-upon goals and to explore your possibilities for advancement within the City of Orting.

Performance reviews are generally conducted annually and are part of your personnel records. You will be given an opportunity for written comment on your performance review. You will be asked to sign your performance review to document that you have read it and that you have had an opportunity to comment. Your signature does not imply agreement or disagreement with the evaluation. You will receive a copy of your review for your own records. Because your performance on the job affects your compensation and employment, your performance review deserves your active and constructive participation. Seasonal and temporary employees do not receive formal performance reviews, however, they are to be coached about work expectations and performance.

New Employees and New Positions

New employees and employees assigned to a new position will be evaluated by their supervisors during appropriate intervals. Successful completion of the six-month evaluation period does not modify the employee's at will employment.

If an employee's performance is not satisfactory during the probationary period, the supervisor may recommend termination of employment at any time during the probation or, in special circumstances, request that the Mayor to extend the probationary period up to an established period of time, specified in writing to the employee. In the event the employee's performance is still unsatisfactory, the employee may be terminated at any time within the extended probationary period.

Managerial Procedures

All employees who are promoted to a higher classified position or who assume the duties of a higher classified position will be evaluated by their supervisors during appropriate intervals.

The anniversary date will change to reflect the first date worked in the new position. Successful completion of an evaluation period does not modify the employee's at will employment.

2.08 Supervisor's Approach to Performance Reviews.

The performance review is a critical management tool for the City of Orting. It is an opportunity for managers to recognize employees' contributions to the City, to identify areas for growth and/or improvement, and to set forth goals and action plans for the coming year. The performance review is vital to City employees as well. The score the employee receives determines his or her compensation, and how the performance review conference is conducted affects the tone of the employee-supervisor relationship. Supervisors are expected to review employees' performance with care, consideration, and candor.

2.09 Inadequate Job Performance – Corrective Action Plan.

Poor performance is a serious issue for the City and the employee. Any supervisor who concludes that an employee's performance is unacceptable in one or more categories should consult with the City Personnel Director to determine whether the City should proceed with disciplinary action or implement a Corrective

Action Plan (CAP).

If the employee's performance does not sufficiently improve under the CAP or if the employee continues to violate one or more City policies, the employee shall be subject to additional discipline up to and including termination.

A CAP is discretionary and an employee is not entitled to a CAP if employment issues arise.

2.10 Reduction-In-Force.

Fluctuating revenue and budget conditions may from time to time force the city to reduce personnel in one or more departments or programs. This reduction may be accomplished by either of the following methods:

- Lateral Transfer. This is a method of employee transfer from one classification to another classification with the same pay grade or within the same classification or pay grade from one department to another. When done for budgeting purposes, such transfer would normally be for the duration of the financial problem only. A lateral transfer must be approved by the Mayor.
- Layoff. A layoff is a method of permanent termination of the employee due to financial circumstances or a change in the need for which the position or positions was created. A layoff must be approved by the Mayor. No regular employee shall be laid off while another person in the same classification is employed on a probationary, temporary, acting or part-time basis. In determining which employees in any classification are to be laid off, consideration is to be given to individual performance and then to seniority in the positions to be affected.

2.11 Resignation.

An employee wishing to leave City service in good standing will file with the City Personnel Director and/or City Administrator a written resignation, including a statement of the reasons for resigning and the effective date of resignation. The written resignation notice must be completed at least two weeks prior to the effective date of resignation.

The City Administrator and Department Managers shall be required to give at least four weeks' notice to the Mayor.

A copy of the resignation notice shall be placed in the personnel file of the employee.

2.12 Identification of Employees.

It is the policy of the City that when on duty, all employees be visible and identifiable to the public to the maximum extent compatible with assigned work duties. All City furnished uniforms or work clothing are to be maintained in a presentable manner by the employee.

City-furnished uniforms remain the property of the City at all times and must be returned immediately upon separation from employment. Uniforms will be worn only on duty or during additional approved volunteer activities that are identical to those performed while on duty. Wearing of uniform items while commuting between a home and the work location may be permitted providing that the wearer does not participate in any interim activity where the image and good name of the city might be negatively affected.

The outer garment of each uniform furnished by the City will bear the official insignia of the city and other such markings or emblems as each Department Manager may specify, except that rain gear may be identified otherwise.

All employees who come in direct contact with the public outside the City-owned buildings may be required to carry an identification card issued by the City. The card will contain the name, title, department, address and telephone number of work location; and a head and shoulders photograph and certification that said person is an employee of the City of Orting.

All City-issued identification, uniforms and other City-owned materials or property in the employee's possession must be surrendered to the City immediately upon employment separation and no later than twenty-four hours after the employee's last day of employment with the City.

3. COMPENSATION

3.01 Your Paycheck.

Pay periods are from the first through the fifteenth day of the month, and the sixteenth day through the last day of the month. You will receive your paycheck by the fifth day following each pay period. You may sign up for automatic deposit of your paycheck by contacting the City Treasurer.

All employees must complete an individual time record showing daily hours worked in order to be paid properly. In the case of exempt employees, this timesheet will account for daily attendance.

Deductions from your paycheck are those required by law (e.g., Medicare, workers' compensation premiums, court-ordered garnishments) and those approved by you in writing (e.g., Union dues as applicable, insurance premiums, etc.).

3.02 Complaints or Concerns.

If you believe there are any errors in your pay, including that you have been overpaid or underpaid, that improper deductions have been taken from your pay or that your pay does not accurately reflect all hours worked, including overtime, report your concerns to the City Treasurer immediately. The City will promptly investigate all reported complaints and, if appropriate, take corrective action.

The City prohibits and will not tolerate retaliation against any employee because that employee filed a good faith complaint under this policy. Specifically, no one will be disciplined, intimidated or otherwise retaliated against because that person exercised rights under this policy or applicable law.

3.03 Employee Salary and Wage Plan.

The City of Orting strives to pay its employees' salaries and wages that are internally equitable and comparable to the pay scales of similar cities. While the City cannot pay City employees the same wages as larger cities, the City does consider the pay scales of other comparable cities for those job positions that are comparable to jobs at the City of Orting. The City maintains an Employee Salary and Wage Plan. The Mayor is responsible for recommendation to the City Council of adoption of a Salary Plan for the City of Orting. The Plan will include salaries for non-bargaining unit personnel as well as salary grades negotiated by employee representatives. Changes to employee salaries and wages are approved by the City Council as part of the budget process.

When you begin your employment with the City, you will be paid a wage or salary consistent with the Employee Salary and Wage Plan and appropriate to the experience, educational background, training, and skills you bring to your position. Thereafter, you will only receive salary and wage adjustments based upon your job performance and the discretion of the City Administrator and/or City Personnel Director. Depending upon the quality of your performance, you may receive an upward adjustment. All performance salary and wage increases shall remain within the range for that position as approved by the City Council. Your eligibility for a pay increase may occur at the end of your first six months of City employment.

Qualified Payroll Period

When an employee has been in pay status fifteen or more calendar days, including holidays in any given calendar month, the payroll period will be considered qualified to accrue benefits, serve out probation, and for computation of merit increase dates. A new employee may be credited with the first payroll period if

employed prior to the 16th of the month.

Payment of Salaries

All employees are paid at an hourly or monthly rate, as specified in the City's annual budget document. Hourly employees are paid on the basis of actual number of hours worked, including authorized absences with pay and allowed holidays. Salary rates for temporary or part-time employees will be based on the pay for full-time positions in the same classification.

Beginning Salary

Each employee will be appointed at the first step of the range established for the classification, with the exception of management classification, which shall be negotiated within the assigned range. If it is determined that appointment of non-management employees above the first step may be warranted, the following procedures will apply:

- a) The factors to be reviewed in approving appointment beyond the first step are: availability of applicants meeting the qualifications for the vacant position, relationship to other similar classifications, prior experience of a candidate in a comparable position, time available to continue the recruitment process, and budget considerations.
- b) The Department Manager will submit a request for appointment at a higher step to the Mayor, stating justification for the request. The Mayor will make a decision based upon the Director's justification.

Merit/Step Increases - Regular Status Employees

- a) When a regular status employee has performed satisfactorily, as determined through the Performance Evaluation process, a merit/step increase may be granted at the completion of six (6) qualified payroll periods from the employee's anniversary date, but not before the satisfactory completion of the employee's initial six-month probationary period. In the case of an employee placed at the time of hire above Step One of the pay range, the initial in-class merit/step raise will be considered upon the completion of twelve (12) months in class and at 12-month intervals thereafter until the employee reaches the top step of the range.
- b) The annual merit/step increase date for an employee will change only if: 1) the employee is promoted or otherwise moved to a position assigned to another job class and is required to serve a trial performance period; and 2) the employee receives a merit/step adjustment as authorized by the Mayor.

Promotion

A promotion is an appointment to a position in a classification which has a higher maximum salary rate than the employee's present classification. The Mayor will determine the salary step of the promoted employee in the new salary range on the date of the promotion. The salary step of the promoted employee will be set so that the promoted employee's pay level is no more than two salary steps higher than the employee's step prior to the promotion. If step one of the salary range to which the employee has been promoted is a pay level more than two steps higher than the promoted employee's previous salary step, then

the employee shall be assigned to step one of the higher salary range. When the date of promotion and the merit/step increase date coincide, the merit/step increase is paid prior to the promotional increase.

Demotions

A demotion is an appointment to a position in a classification which has a lower maximum salary rate than the employee's present classification. When a demotion occurs, the Department Manager will recommend to the Mayor and/or City Administrator a salary for the demoted employee within the salary range of the lower classification which is less than or equal to the employee's present salary. The employee will retain the same anniversary date.

Transfer

- a) A position transfer is an appointment to a position in the same or different classification of the same pay grade.
- b) When an employee is transferred to a position in a different classification with the same pay grade, or is transferred to another department with the same classification, the employee's pay remains the same. The employee will retain the same anniversary date for leave and length of service purposes.

Temporary Change of Classification

- a) A current employee assigned to a classification with a differing rate of pay in an "acting" appointment status will be compensated at the next higher step in the new range according to the policy on promotion.
- b) If the employee is promoted to the higher class with regular appointment status, all policies apply from the date of promotion.

Exemptions

The Mayor may recommend positions to be exempt from overtime provisions to the City Council on the basis of the nature of work, conditions of employment or by definition of administrative, supervisory and professional classifications as provided by State and Federal laws. Such exemption is based upon special conditions to work or assignment, in accordance with the Fair Labor Standards Act.

3.04 Overtime and Compensatory Time Off.

At the City of Orting, we want our employees to work a reasonable number of hours. The regular workweek is no more than 40 working hours in a week, except in the case of non-standard work schedules. On certain occasions some overtime may be required. You may request not to work overtime, but you may not refuse to work assigned overtime. Any overtime work must be authorized in writing in advance by your supervisor or the City Administrator. If overtime is authorized or required, regular, full-time, nonexempt employees will be paid at one and one-half times the regular rate of pay for all hours worked in excess of 40 hours in one work week. Holiday, Vacation and Sick leave time is not considered hours worked. If overtime is authorized or required for temporary or part-time employees, they will be paid at one and one-half times the regular rate of pay for all hours worked in excess of 40 hours in one work week. Public safety employees (police) may be subject to alternative work periods and overtime standards, as set forth in an applicable

labor agreement.

Nonexempt employees who work overtime have the option to choose compensatory time off that will be accrued at one and a half hours for every hour worked in lieu of overtime pay. You may accrue up to 40 hours of compensatory time off (60 hours of actual overtime worked). Employees covered by a collective bargaining agreement may have different accrual limits. Compensatory time can be used at times mutually agreed to by you and your supervisor. Any compensatory time not used may be carried over to the next year (up to 40 hours). Upon separation of employment any compensatory time will be paid at your current rate of pay.

4. EXPENSE REIMBURSEMENT: TRAVEL, MEALS, AND LODGING

4.01 Purpose and Administration.

The purpose of this travel policy is to identify and provide guidelines regarding the City's travel policies and to further delineate those valid business expenses for which an employee may qualify for payment or reimbursement.

4.02 City Employees and City Officials.

Meals All City employees and officials claiming reimbursement for meals consumed while on City business shall be entitled to reimbursement based on the following per diem schedule listed in the most Current Per Diem Travel Map produced by OFM at: <http://www.ofm.wa.gov/resources/travel.asp>.

Reimbursement for gratuity is not authorized.

Mileage reimbursement for use of a personal vehicle shall follow the most recent IRS schedule for standard mileage rates for business and medical and moving expenses.

Meals for which the costs are included in a City-paid registration fee cannot be claimed by an employee for reimbursement. All claims for meal reimbursements for conferences shall include a copy of the conference schedule for determining meals provided by such conferences.

Travel

No personal automobile use is permitted by City employees without prior express written consent by the City Administrator or his or her designee. City-owned vehicles should not be used for business travel when the destination is less than a half a mile away from the employee's normal area of work.

Reimbursement for reasonable costs of business travel is authorized. If available, the use of a City vehicle is **required**. If a personal car is used, the employee must maintain proper insurance and agree that his or her insurance will serve as primary insurance. All travel costs are subject to approval by the City Administrator and/or the Mayor. General guidelines are as follows:

City Vehicle

Out-of-area costs of vehicle operations are authorized for fuel, oil, tires, and necessary repairs.

Vehicle

Expenses shall be reimbursed for travel within a 300-mile radius of the City at such rate per mile as established by the United States Internal Revenue Service for deductions. Trips beyond this limit will be reimbursed at the lower of (a) the established rate per mile, or (b) the lowest available (other than nonrefundable) airfare obtainable by the City, plus mileage reimbursement at the then-current City rate, based upon the estimated distance between the airport and the destination.

Rental Vehicle

The cost of vehicle rental when out of town on business is an exception to this policy and must be submitted in writing to the Department Manager and approved by the City Administrator.

Air Travel

Whenever feasible, air travel arrangements should be purchased at least five weeks in advance of departure date. The authorized procurer will arrange for air travel based on the lowest available airfare. A travel agency may be used. If personal travel is combined with business travel, the traveling employee is responsible for paying the increase in airfare if necessary to accommodate the personal part of the flight.

Miscellaneous Travel Expenses

Miscellaneous travel costs such as bus, taxi, bridge or other tolls, parking, ferry and the like are authorized. Whenever possible an original, itemized vendor's receipt will be required. If a receipt is not available log the time, date, facility or company, expense and reason a receipt could not be provided.

Out of State or Overnight Travel

To be eligible for any City reimbursement for overnight travel expense, the one-way travel distance must be greater than fifty miles from the City or home. Approval for all overnight or out of state travel must be in writing by the Department Manager or City Administrator.

Accommodations

Reasonable hotel/motel accommodations for employees and officials are acceptable and will be reimbursed for the single room rate. Exceptions may be requested in writing to the Department Manager and approved by the City Administrator should a single room rate not be available. An original, itemized vendor's receipt is required for all claims.

Non-Allowable Expenses Include But Are Not Limited To:

Liquor, expenses of a spouse or other persons not authorized to receive reimbursement, beauty parlor or barber services, personal entertainment (movie rentals, etc.), theft, loss, or damage to personal property, damage costs caused by employee/officer actions, airline or other trip insurance, personal postage, reading materials, non-business related telephone calls, laundry/dry cleaning, and personal toiletry articles.

Non-Travel Food and Beverage Reimbursement Policy

Reasonable expenses for refreshments including food and beverage that are associated with meetings, ceremonies or dedications whether attended solely by city employees or the public or some combination are considered legitimate City expenditures.

4.03 Advance Travel Funds.

The use of advance travel funds is authorized by the City. These are the guidelines for requests:

- Advance travel funds may be used for expenses incurred during the authorized overnight travel of a City employee or officer/elected official while on City business.
- Requests for advance travel funds shall be submitted to the City Treasurer on forms established by the City Treasurer. Requests will be based on "per diem" rates for meals and a reasonable estimates for those costs not directly billable to the City.
- The Advance Travel Request form will be submitted at least five (5) working days prior to

departure, together with a copy of the agenda or conference/workshop application as verification of the purpose of the trip. Requests must be signed by the applicant and the individual's Department Manager. Meal allowances will not be paid for meals that are included in the registration fee, whether or not the employee partakes of the meal. A continental breakfast is not considered a meal, and therefore if a registration includes a continental breakfast, the City will reimburse the employee for the cost of a regular breakfast, if claimed. Advances will be based on "maximum per diem allowances" for the locality to which the individual is traveling.

- Air transportation and hotel/motel accommodations will be billed directly to the City by the Vendor.
- Settlements of the Advanced Travel will be made on or before the 10th day following the close of the travel period by submitting to the City Treasurer a Travel and Personal Reimbursement Settlement Form. Any default in accounting for, or in repaying a travel advance shall render the "full unpaid" amount immediately due and payable with interest added at the rate of 10% per annum, from the date of default until the advance is repaid. The City shall have the right to withhold any and all funds payable to such officer or employee to whom such advance has been made.
- No advance of any amount may be made to any officer or employee at any time when he/she is delinquent in accounting for or in repaying a prior cash advance.

4.04 Claims and Approval Process.

Travel and subsistence expenses will not be paid from Petty Cash

- Special approvals required by this policy shall be obtained by employees in advance. Such approvals shall be in advance of the event and by separate memo and the reasons for the exception.
- All claims by City Council members shall be approved by the Mayor.
- Claims that are rejected shall be reviewed by the Mayor for final disposition.

4.05 Use of City Charge Cards.

In its discretion, the City may issue charge cards to employees, elected officials, or appointed officials to cover authorized travel expenses and other purchases or acquisitions. The charge card users must submit fully itemized expense vouchers using the City of Orting Credit Card Expense Voucher form. Any charge not properly identified or not allowed following an audit must be repaid by the official or employee. If the amount owed is not repaid, the municipality may withhold all funds that would be payable to the officer or employee who used the charge card up to the amount of the disallowed charges. The card may not be used by any official or employee who has such charges outstanding, and it shall be surrendered upon demand of the City Clerk or City Treasurer.

The City's charge card may only be used for travel, training, local business meetings, meals, or authorized City purchases and acquisitions. All State and City purchasing requirements must be followed when using credit cards for purchases and acquisitions. Personal expenses (i.e., telephone calls, purchases of items to be kept by the employee, etc.) are not allowed to be purchased on a City charge card, and cash advances are prohibited. Employees and elected or appointed officials using City credit cards are responsible for

promptly reporting lost or stolen credit cards to the credit card company and to the City Clerk or City Treasurer.

Please return the City's charge card to the City Clerk's office within 2 business days after you return from conducting City business. Within ten days of the return of the charge card to the City Clerk's office, the official or employee of the City who used the card must submit a fully itemized "Credit Card Expense Voucher." All employee expenditures require approval by the appropriate Department Manager (or his/her designee) or by the City Administrator.

5. TIME OFF AND BENEFITS

5.01 Legal Holidays.

All regular status employees are entitled to an eight (8) hour paid holiday on the following days, observed in accordance with the official state calendar:

New Year's Day	Veteran's Day
Martin Luther King Day	Thanksgiving Day
President's Day	Day after Thanksgiving Day
Memorial Day	Day before Christmas
Fourth of July	Christmas Day
Labor Day	

For employees on a Monday through Friday work schedule, holidays will be observed in the following manner:

- a) When a holiday falls on a Saturday, the preceding Friday will be considered the holiday.
- b) When a holiday falls on a Sunday, the following Monday will be considered the holiday.

Any employee on vacation or sick leave during a holiday will not be charged vacation or sick leave for that day.

An employee who would otherwise be entitled to a holiday but is on leave without pay will receive compensation for the holiday, provided the employee has satisfied all of the qualifying payroll period provisions.

An employee on the payroll for less than a full month is eligible for a paid holiday provided the employee is in pay status a minimum of one working day immediately preceding and immediately following the holiday.

Floating Holiday

In addition to the above-listed holidays, two eight (8) hour "floating" holidays, for all regular status employees who have completed at least six months of employment with the city, may be taken at the request of the employee and with the advance written approval of the Department Manager each calendar year.

The floating holidays must be taken during the calendar year or entitlement to the day will lapse, except when an employee has requested a personal holiday and the request has been denied, by the Department Manager, due to workload or scheduling.

5.02 Insurance Benefits.

The City endeavors to provide competitive benefits to its employees and their dependents. Information regarding current benefits as well as coverage and eligibility, is available from the City Personnel Director. The City of Orting will offer to regular-status employees, their spouse (defined as the wife or husband of an employee, not legally separated from the employee), and eligible dependents (defined as son, daughter, or stepchild), working at least forty (40) hours per week, insurance plans for medical, Long-Term Disability, Employee Assistance Plan (EAP), vision, and dental benefits, to be used at the option of the employee,

subject to the carrier's underwriting rules. For those employees not subject to a collective bargaining agreement, the City will contribute to the costs of such plans at least an equal amount to that of the Collective Bargaining Agreement for the Public Works and Office Workers. If insurance plan costs exceed the City benefit contribution, the remainder of costs incurred is the responsibility of the employee. All insurance premiums will be subject to applicable payroll taxes as required by the Internal Revenue Service.

Employees may waive the medical insurance benefit for themselves or dependents that are already covered under other medical insurance. Employees must provide proof of medical insurance coverage for themselves or their dependents. If waived, the City will increase the employee's compensation by 50% of the City's expense for the employee and/or dependent's premium. All applications for the waiver must be in writing and submitted to the City Administrator. If the City's insurance broker requires a minimum participation, then waivers will be granted on a first come, first served basis.

5.03 Sick Leave.

Reserve police officers will accrue one hour of paid sick leave for every 40 hours worked, including overtime (hour for hour). All other employees will accrue eight hours of paid sick leave per month or as specified in an applicable collective bargaining agreement.

Employees are not entitled to accrue paid sick leave for hours paid while not working (such as vacation, paid holidays, or while using paid sick leave). Employees are eligible to use accrued paid sick leave 90 days after starting employment. The accrual year is January 1 - December 31.

Rate of Pay

Employees shall receive their hourly rate of pay in effect during the time employees use paid sick leave.

Non-represented employees who separate from City service due to retirement or death shall be compensated for their total unused sick leave accumulation at the rate of twenty-five percent. Employees who are choosing to retire and wish to receive a sick leave payment, must provide a resignation letter and appropriate documentation of their decision to retire to the City's Personnel Director. Employees who are terminated or fired shall not be eligible for compensation for unused sick leave.

Compensation shall be based upon the employee's rate of pay at the time of separation and shall be subject to applicable withholdings under state and federal law.

Carryover

Non-represented employees may carry over up to 960 hours of sick leave from one year to the next year as the accruals begin again every January 1st.

Reserve police officers may carry over up to 100 hours from one year to the next year.

Authorized Use

Employees may use their accrued, unused paid sick leave hours to care for themselves or a family member for:

- Mental or physical illnesses, injuries, or health conditions;
- Seeking medical diagnosis, care, or treatment of mental or physical illnesses, injuries, or health conditions; or
- Preventive medical care.

Sick leave is also authorized for health-related work site closures and for employee's child's school/daycare health-related closures. An employee may also use authorized sick leave if the employee or employee's family member is a victim of domestic violence, sexual assault, or stalking including seeking legal or law enforcement assistance under the Domestic Violence Leave Act.

Family member is defined as:

- Child regardless of age or dependence
 - Includes: biological, adopted, foster, step, or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent
- Parent, including spouse's parent(s)
 - Includes: biological, adoptive, de facto, foster, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child
- Spouse & registered domestic partner
- Grandparent
- Grandchild
- Sibling

Incremental use of sick leave is allowed for all of the aforementioned reasons and may be taken in one hour or less increments.

Notification of Use of Leave

The City of Orting requires reasonable notice of anticipated absences. If the requested leave is foreseeable, the expectation is that an employee will provide ten days advance notice to the employee's supervisor or provide as much advance notice as practicable. If the need for use of leave is unforeseeable, employees must provide notice as soon as possible to their supervisor prior to the start of their shift unless it is not practicable to do so. In the event it is impracticable for the employee to provide notice to their supervisor prior to the start of their shift, a person on the employee's behalf may provide notice to the employee's supervisor.

Verification

Absences extending longer than three consecutive work days may require a doctor's note and are required within at least ten calendar days following the first day of leave. There is no required verification if the leave is protected under the Domestic Violence Leave Act.

Employers may not require that the verification information provided explain the nature of the condition warranting sick leave. However, sick leave used for a purpose authorized under federal, state, or local law (e.g., FMLA, worker's compensation) permits an employer to request verification that complies with certification requirements.

If an employee believes that verification will result in an unreasonable burden or expense, he or she must provide a verbal or written statement that (i) the leave was for an authorized purpose and (ii) the verification requirement would cause an unreasonable burden or expense.

Retaliation

Any discrimination or retaliation against an employee for lawful exercise of paid sick leave rights is prohibited. Employees will not be disciplined for the lawful use of paid sick leave. If an employee believes

he are she is being discriminated or retaliated against, promptly contact Scott Larson at: slarson@cityoforting.org.

If the employee is not satisfied with the response, the employee may contact the Washington State Department of Labor & Industries online at:

www.Lni.wa.gov/WorkplaceRights

Call: 1-866-219-7321, toll-free

Email: ESgeneral@Lni.wa.gov

Separation & Reinstatement

In the event an employee separates from the City of Orting, there will not be financial reimbursement to the employee for accrued, unused paid sick leave balances available at the time of separation. If the employee separates and is rehired within 12 months, the 90-day waiting period prior to use of paid sick leave is not imposed, and the City will reinstate the employees accrued, unused paid sick leave up to 40 hours.

5.04 Vacation Time.

Length of Service		Monthly Accrual
0 to 12 months	(1 year)	6.67 hours
13 months through 48 months	(2-4 years)	8.00 hours
49 months through 84 months	(5-7 years)	10.00 hours
85 months through 120 months	(8-10 years)	12.00 hours
121 months through 156 months	(11-13 years)	12.67 hours
157 months through 192 months	(14-16 years)	13.33 hours
193 months through 228 months	(17-19 years)	14.00 hours
229 months through 288 months	(20-24 years)	14.67 hours
289 months +	(25 years +)	16.67 hours

Vacation time is accrued from the day you start working for the City, and it may be used after successful completion of your first six months of actual service to the City. Vacation must be scheduled with the advance approval from your Department Manager or from the City Administrator to limit interference with the operations of the City. Requests for vacation are to be submitted at least two weeks in advance unless waived by the Department Manager. Vacation time may be taken in one-half hour increments.

Vacation accrues according to the above schedule for regular Full Time Employees and will be prorated for Regular Part Time Employees. Temporary employee shall NOT be entitled to vacation time.

The Mayor may authorize the City Administrator to credit employees with a lump sum of vacation accrual for purposes of recruitment or retention. The amount of the lump sum will be at the sole discretion of the Mayor.

All vacations must be approved by the appropriate Department Manager. Department Manager vacations are approved by the City Administrator. City Administrator vacations are approved by the Mayor.

Vacation time may be accrued only to a maximum of 240 hours (30 days), except under unusual circumstances and with approval of the Department Manager and the City Administrator. Unapproved

accrual beyond the 240 hours limit will be forfeited by the employee. Non-represented employees may be credited with up to 120 excess vacation hours beyond the 240 maximum accrual limit. While not accrued for payout upon separation from employment, these excess vacation hours will be held on account for use by the employee subject to the provisions of this section governing use of vacation leave.

Upon separation from City employment, any regular status employee with more than the equivalent of six months of service shall be paid for up to a maximum of 240 hours of accrued vacation. Compensation shall be based upon the employee's salary at the time of separation and shall be subject to applicable withholding under state and federal law.

Any holiday occurring during an approved vacation is not counted as a day of vacation taken.

Vacation Leave Sharing

- 1) Employees who are suffering from an illness, injury, impairment or physical or mental condition, which is of an extraordinary or severe nature and which has caused, or is likely to cause the employee to either be in a leave without pay status or to terminate employment with the city, may, subject to the provisions of this section or, for represented employees, subject to collective bargaining agreements addressing this issue, be permitted to receive donations of vacation leave from other employees.
- 2) Requests for Vacation Leave Donations: Employees who wish to receive donations of vacation leave must submit a request to the City Administrator. The request must include an explanation of the circumstances that make the donations necessary and must be supported by the opinion of a qualified medical professional.
- 3) Determination of Eligibility for Vacation Leave Donations: The City Administrator may authorize vacation leave donations if the employee has depleted or is about to deplete his or her annual leave and sick leave accruals.
- 4) Amount of Vacation Leave to be Donated: The total amount of vacation leave that can be donated to an employee will be determined by the City Administrator.
- 5) Eligibility for Donations: Any employee with more than eighty hours of vacation leave accrued may authorize a donation of vacation leave to another employee who has been authorized by the City Administrator to receive vacation leave donations. In no event will an employee be allowed to donate more than 25% of his or her accrued vacation leave.
- 6) Procedures:
 - a) While an employee is on leave donated under this section, he or she shall continue to be classified as a City employee and shall receive the same treatment in terms of salary, wages, and employee benefits as the employee would normally receive if using accrued annual leave.
 - b) If any leave donated under this section is not used, it will be returned to the donating employee(s) provided that there is no reasonable expectation that the leave will be needed in the near future in connection with the illness or condition for the which the donation was permitted.

5.05 Bereavement Leave.

The City affords regular full-time and regular part-time employees time off with pay in the event of a death in the employee's immediate family. The employee's immediate family is defined as the employee's spouse, domestic partner, parents, step-parents, children, step-children, grandchildren, great-grandchildren, brothers, sisters, step-brothers, step-sisters, son in-law, daughter in-law and grandparents. The term also

includes a spouse's parents, step-parents, brothers and sisters. Unusual circumstances shall receive individual consideration. In the event of a death in an eligible employee's immediate family, the employee may receive up to three (3) days of Bereavement Leave with pay.

Employees on Bereavement Leave shall continue to accrue Sick Leave and Vacation benefits. Bereavement Leave is not cumulative nor payable upon termination of employment. The period of Bereavement Leave may be extended by the use of accrued Vacation time, or if warranted, Sick leave for a maximum five (5) additional days.

5.06 Jury Duty Leave.

Serving on a jury is a fundamental responsibility of citizenship, and the City supports this important role in our society. However, to ensure that we can provide proper service to the public, if you receive a notice for jury duty service, please contact your Department Manager or City Administrator as soon as possible so that appropriate scheduling needs can be met. If your absence would pose a significant hardship for the City, you may be asked to request a postponement of jury duty from the court. Jury duty leave is paid at your regular rate for the time you are required to serve up to 80 hours, less juror's fee received (excluding juror expense payments). You are expected to report to work on any day that you are released from service with four or more hours left in your regular shift.

5.07 Military Leave.

We recognize the importance of enabling employees to serve in the military. An Employee who is a member of the Washington National Guard or of the Army, Navy, Air Force, Coast Guard, or Marine Corps reserve of the United States are entitled to a paid military leave of absence for a period not to exceed 21 working days during each year beginning October 1 and ending the following September 30. Military leave shall be charged only for days that he or she is scheduled to work for the City. Military leave may be used for required military duty, training, or drills including those in the National Guard under Title 10 U.S.C., Title 32 U.S.C., or state active status. During the period of military leave, the officer or employee shall receive his or her normal pay. Military leave in excess of the 21 days of paid time off will be unpaid, unless the employee elects to use accrued leave. All benefits continue to accrue during military leave of less than 30 days.

An employee who enters the state or federal armed services for an extended tour of duty is eligible for an extended, unpaid military leave of absence, which may continue up to five years, unless otherwise provided under federal law. Employees may use all accrued but unused vacation benefits as soon as their extended military leave begins. All insurance benefits will end on the last day of the month in which the extended military leave begins but the employee may extend medical coverage under COBRA if desired. Employees who leave work to serve in military duty are entitled to reemployment and benefit resumption consistent with relevant state and federal laws.

Employees should notify their Department Manager as soon as they receive notice of the need to report for military duty or training, and should provide the Department Manager with a copy of military orders.

5.08 Leave for Spouses/Domestic Partners of Military Personnel.

The Washington State Military Family Leave Act (MFLA) allows an employee whose spouse is a member of the United States armed forces, National Guard or reserves to take 15 days of leave when the spouse is notified of an impending call to active duty or when the spouse is on leave from an active duty deployment.

The purpose of MFLA leave is for families of military personnel serving in military conflicts to spend time together. This leave may be used prior to deployment or during the spouse's leave from deployment, but may not be used at the end of the deployment. An employee must work for an average of 20 or more hours per week to qualify for MFLA.

An employee who seeks to take family military leave should provide the City with notice of his/her intent to take leave within five business days of receiving official notice that the employee's spouse/domestic partner will be on leave or of an impending call to active duty. The employee may substitute any eligible accrued leave for any part of this military leave.

5.09 Pregnancy/Childbirth Disability Leave.

An employee will be granted leave for the period of time that she is temporarily disabled because of pregnancy or childbirth. Medical certification may be required to confirm the need for leave. Pregnancy/Childbirth Disability leave is unpaid, provided that an employee must use her accrued paid leaves before the unpaid portion of the leave begins.

5.10 Leave Due To Domestic Violence or Sexual Assault.

This leave is available to an employee who is a victim of domestic violence, sexual assault, or stalking. It is also available to employees with a family member (child, spouse, registered domestic partner, parent, parent-in-law, grandparent, or person with whom the employee has a dating relationship) who is a victim of domestic violence, sexual assault, or stalking. A reasonable amount of leave may be taken, and is available in blocks, intermittently, or on a reduced leave schedule. Domestic violence/sexual assault leave is unpaid, although an employee may elect to use the employee's accrued paid leave in connection with such leave.

Domestic Violence/Sexual Assault Leave may be taken for the following purposes:

- To seek law enforcement or legal assistance or to prepare for or participate in any legal proceeding related to domestic violence, sexual assault, or stalking;
- To seek treatment for physical or mental injuries from domestic violence, sexual assault, or stalking, or attend to such health care treatment for a family member;
- To obtain (or assist a family member in obtaining) services from a domestic violence shelter, rape crisis center, or other social services;
- To obtain (or assist a family member in obtaining) mental health counseling related to domestic violence, sexual assault, or stalking; or
- To participate in safety planning, to temporarily or permanently relocate, or to take other actions to increase the safety of the employee or family member relating to domestic violence, sexual assault, or stalking.

When possible, employees should give advance notice of the intention to take leave. If advance notice is not possible, employees (or their designees) should give notice of the need for this leave no later than the end of the first day the employee takes the leave. The City may require verification to support the need for the leave. Except where disclosure is authorized or required by law, the City will maintain confidentiality

of all information provided by the employee in conjunction with Domestic Violence/Sexual Assault Leave.

5.11 Disability Leave.

An unpaid medical leave of absence may be granted to employees who are unable to perform the essential functions of their position due to a disability as a reasonable accommodation unless the City concludes the additional leave would impose an undue hardship on the City's business. A written request for a medical leave of absence must be provided to the City Administrator along with a doctor's certification indicating the nature of the disability, its impact on the employee's ability to perform the essential functions, the need for leave as a reasonable accommodation and the anticipated length of absence.

An employee on leave of absence status shall continue to accrue continuous service but does not accrue Vacation or Sick Leave, and is not paid for Holidays. Health and life insurance coverage will cease unless the employee pays the applicable premiums; details regarding COBRA coverage would be provided at that time. The City will discontinue health insurance and other insurance coverage for employees and their dependents if the employee does not return to work after the agreed upon end of the leave of absence or after a reasonable amount of time as determined by the City (again, subject to COBRA rights).

5.12 Leave Due to Inclement Weather.

Absence due to an employee's inability to report for scheduled work because of severe inclement weather, conditions caused by severe inclement weather, or other significant disruptions of the transportation system shall be charged to the following in the order listed:

- Accrued vacation leave, annual leave (floating holiday) or compensatory time;
- Accrued sick leave up to a maximum of 24 hours in any calendar year.

5.13 Unauthorized Absence.

An unauthorized absence will be charged to available leave in the following order:

- Accrued vacation leave, annual leave (floating holiday), compensatory time;
- Accrued sick leave, if applicable.

If the unauthorized absence is not related to protected leave, the City may treat the unauthorized absence as grounds for disciplinary action. Upon return from unauthorized absence, the employee is required to provide a written statement to the Department Manager explaining the reason for the absence. An unauthorized absence for a period of three days may be considered as a resignation from employment of the City.

5.14 Retirement.

In accordance with State law, all employees in a qualifying position, regardless of appointment status, will become members of the City's retirement system. Payroll deduction for employee contributions is required, regardless of anticipated length of service. Employer contributions will be made in accordance with applicable State law.

Uniformed personnel shall be members of the Washington Law Enforcement Officers and Fire Fighters Retirement System with employer contributions made in accordance with applicable State law.

5.15 Wellness Program.

In accordance with City of Orting's commitment to health and safety, we have established a Wellness Program for the following purposes:

- 1) To maintain and enhance employee interest in health and safety issues.
- 2) To ensure that managers, supervisors and employees are aware through training activities that they are responsible for the prevention of workplace accidents.
- 3) To help make health and safety activities an integral part of the organization's operating procedures, culture and programs.
- 4) To provide an opportunity for discussion of health and safety problems and possible solutions.
- 5) To inform and educate employees and supervisors about health and safety issues and research findings, etc.
- 6) To help reduce the risk of workplace injuries and illnesses.
- 7) To help ensure compliance with federal and state health and safety standards.

The Wellness Committee is comprised of a cross-section of the organization employee roster. Employees interested in participating on the Committee should contact the Wellness Program Director.

To accomplish the above objectives, the Wellness Committee will:

- Develop a written mission statement in accordance with the organization's overall requirements.
- Define duties and responsibilities of committee members.
- Identify and prioritize goals and establish action plans to achieve each goal.
- Include representation from different levels and areas of the organization element.
- Meet at least monthly.
- Record and disseminate minutes of meetings, documenting attendance, problems, and issues, as well as corrective action proposed and actions taken to address each issue.
- Develop methods to increase and maintain safety awareness.
- Organize special subcommittees to address specific issues, projects or programs.
- Distribute wellness information and pamphlets to employees.
- Develop methods for employee ideas and suggestions submittals.

6. EMPLOYEE RESPONSIBILITIES

Here is a summary of what the City expects from you.

6.01 Personal Appearance.

Employees with a neat, clean appearance are important to our operation, especially when those employees are dealing with the public. How you look is the image the public has of the City of Orting. Employees should wear clothing appropriate to their job, and present an appropriately professional image.

Some employees may be required to wear specific types of clothing due to the nature of the job or safety requirements. When in doubt, ask your supervisor for assistance in determining what is appropriate.

6.02 Computer Usage.

As a City employee, you may use computers extensively in your job. A few rules are necessary so that everyone can get the maximum benefit from the City's investment in technology.

Software

In order to protect the City of Orting's computer system from viruses and ensure that the software used is compatible with City computers, only software purchased or approved by the City may be installed on City computers. Before installing any software not purchased by the City, you must check with the City Administrator. Software purchased by the City is for legitimate City business use only. It may not be copied or taken home.

Copyright Compliance

Software is protected from unauthorized duplication by law. The City of Orting respects the legal rights of software developers and expects employees to do the same. No employee may duplicate software, or otherwise use software other than in accordance with the terms of its license. Software that has been duplicated without authorization may not be installed on City computers.

Electronic Media and Internet Usage

The City provides communication resources including computing resources, electronic mail (email), internet access, mobile devices, and other electronic communications equipment (collectively referred to as City Technology Resources) to employees to assist in and facilitate City business and communications. The primary purpose of the City's network and systems is to provide service to the public as part of the City's business, in a manner that is consistent with the City's vision and values. De Minimis, incidental personal use of the City's Technology Resources by employees is permitted if accomplished in compliance with the provisions of this policy, as set forth below. This policy does not address all required, allowed, or prohibited behaviors by employees, but covers common examples. In general, the City relies on the good judgment of its employees to ensure that City Technology Resources are used in the public's best interest.

No Expectation of Privacy

By using the City's technology employees acknowledge and agree that they have no expectation of privacy or confidentiality in their use of these systems or in any data that they create, store, or transmit on or over the systems, including any data created, stored or transmitted during an employee's incidental personal use

of the technology as permitted under this policy. Employees further agree that they are aware of, understand and will comply with the provisions of this policy, and that their use of the technology can and will be monitored and any data that they create store, or transmit on or over City systems may be inspected by City management at any time. Employees should understand that certain email messages, other electronic communications, and documents created on City computer systems may be considered a public record subject to disclosure and/or subject to discovery in the event of litigation.

Ownership and Confidentiality

All software, programs, applications, templates, data, data files and web pages residing on City computer systems or storage media or developed on City computer systems are the property of the City. The City retains the right to access, copy, modify, destroy or delete this property. Data files containing confidential or sensitive data must be treated accordingly and must not be removed from the workplace without proper authorization.

Acceptable Uses of City's Technology Resources

The City's technology are to be used by employees or volunteers for City business. De Minimis, incidental personal use may be permitted where, in the judgment of the employee's manager, such use does not interfere with employee or department productivity, nor distract/take time away from the worker or co-workers assigned work. De Minimis, incidental personal use means: (1) it is occasional and of short duration; (2) it is done on an employee's personal time, such as on a lunch break; (3) it does not interfere with job responsibilities; (4) it does not result in any expense to City; (5) it does not solicit for or promote commercial ventures; (6) it does not utilize excessive network resources; and (7) it does not constitute any prohibited use, as discussed below.

Prohibited Uses of the City's Technology Resources

Use of the City's technology to engage in any communication that violates federal, state, or local laws or regulations, or any City policy, is strictly prohibited at all times. In addition, the following uses of City's technology are inappropriate and are prohibited at all times, unless specifically exempted below:

1. Personal business or commercial use (meaning use that benefits an employee's outside employment or commercial business);
2. Accessing, receiving or sending pornographic, sexually explicit or indecent materials, including materials of an offensive nature;
3. Usage for any type of unlawful harassment or discrimination, including the transmission of obscene or harassing messages to any individual or group because of their sex, race, religion, sexual orientation, national origin, age, disability or other protected status;
4. Gambling;
5. Usage for recreational purposes including the loading of computer games or playing online games;
6. Usage that precludes or hampers City network performance; such as viewing or listening to streaming audio and/or video unless for City business, such as for online training;
7. Unauthorized copying or downloading of copyrighted material;

8. Usage that violates software license agreements;
9. Downloading of software programs unless specifically approved by applicable Manager and coordinated with the IT Manager;
10. Usage for political purposes, including partisan campaigning;
11. Sending anonymous messages and/or misrepresenting an employee's name, position, or job description;
12. Deliberately propagating any virus, worm, Trojan horse, malware, spyware, or other code or file designed to disrupt, disable, impair, or otherwise harm either the City's networks or systems, or those of any other individual or entity;
13. Releasing misleading, distorted, untrue or confidential materials regarding City business, views or actions;
14. Using abusive, profane, threatening, racist, sexist, or otherwise objectionable language in either public or private messages;
15. Use of technology resources for personal use beyond a De Minimis amount or in any manner so as to deprive others of system use or resources, including, but not limited to, the sending of bulk email for other than official business or forwarding "chain letter" emails of any kind;
16. Connecting to the City's network, or any specific software package, utilizing somebody else's security identification login information to gain alternate security permissions;
17. Any personal use, even if incidental, that results in expense to the City; and
18. Usage that violates the guidelines set forth in the Standards of Conduct described in this Handbook.

Any employee who violates these policies could be subject to disciplinary action, up to and including termination. In addition, employees may be held personally liable for damages incurred as a result of copyright and licensing requirements.

Downloading Files from the Internet or Opening E-mail Attachments

Downloading files from the internet or opening e-mail attachments from sources outside the City can lead to spyware and/or virus attacks that can severely damage, or degrade the City's network and/or data. Anti-virus and anti-spyware software does not guarantee that all spyware is blocked, or that all viruses are caught. If you are downloading a file and receive a message that a virus or spyware has been detected, you must contact the IT Manager immediately for assistance. Similarly if you receive an e-mail with a suspicious attachment, or from an unusual source, you should notify the IT Manager before opening it. If you notice that your computer is behaving strangely or you suspect spyware or a virus, notify the IT Manager.

Finally, employees are expected to not use personal cell phones, personal data devices, smartphones, tablets or similar devices during working time for personal business or commercial use.

Security

You are responsible for the Internet access and the messages sent from your account. Please log off before

leaving your computer unattended. Also bear in mind that the use of aliases while using e-mail or accessing the Internet is prohibited. It is also inappropriate to misrepresent an employee's job title, job description, or position. To prevent unauthorized use of your computer, do not give out your password to anyone and change your password on a regular basis.

6.03 Computer Usage Supplement: Email & Internet Etiquette Tips.

The following tips are intended to provide you with a tool when using e-mail and/or the Internet. These tips supplement the City of Orting's Computer Usage Policy.

Always be yourself. Through the use of electronic communications, we are able to embrace a new "spirit of community" within our City, as well as build and enhance relationships directly with our customers. Therefore, be as courteous, friendly and thoughtful as you would be in person. Always represent yourself as yourself - never someone else.

Use of the Internet wisely. The Internet should only be used as follows:

- Research on work related topics/issues
- Investigating City-related topics or practices of other cities
- Sending/receiving documents outside the City
- City-related purchasing
- Communicating with vendors, media, council members, residents, and other external constituencies
- Other work-related activities and information gathering

Consider your audience. Send e-mail messages only to those who need the information. This is particularly important when sending a broadcast announcement to a large group of people. Simply sending a message to City server group names without understanding the people affected potentially results in many individuals receiving and processing useless information.

Keep it brief. Learn to compose messages like a journalist writing an article. Focus on the facts, placing the most important information at the front of the memo. Attach additional information (spreadsheets, word processing documents, and graphics) via files, but pay attention to size. File attachments which are too large can be difficult or impossible to retrieve.

Remember that e-mail and the Internet are public, not private. Any message sent via e-mail can be reviewed by a third party. Therefore, do not send anything that you would be uncomfortable to communicate in public.

Be responsive. If you receive a message which requires your attention and response, reply back to the sender within a reasonable time frame. Even if you can't provide the answer to a question, let the individual know that you are working on it.

6.04 Cellular Telephones.

The City may require you to use a cellular telephone in the performance of your job or in emergency

situations. In either case, the City shall pay the expenses related to the purchase, lease or rental of a cellular phone. Please see your Department Manager about the procedures for purchasing the cellular telephone and related equipment and maintaining it in the City's inventory. You are responsible for taking reasonable precautions to prevent equipment theft and vandalism, including securing the equipment in a proper manner at all times.

Use of City-Owned Cellular Telephones

The City provides cellular telephones to certain employees to improve both the services provided to the community and the communications with other City employees for City business. Therefore, City-owned cellular phones shall only be used for City purposes and/or in the event of an emergency. If personal calls have been made on the cellular phone, you must reimburse the City immediately following receipt of an invoice and prior to the time payment is due to the cellular telephone service provider. Payment shall be made to the City on a City Treasurer's receipt for permanent record keeping.

Remember that cellular telephones are not a secure method of transmitting information. You are therefore expected to use discretion in relaying confidential information. The City reserves the right to monitor the use of all City-owned telephones. If it is determined that there is an abuse of City-owned cellular telephones, then appropriate disciplinary actions will be taken.

Use of Your Personal Cellular Telephone to Conduct City Business

Personal cellular telephone usage for City business must be authorized in advance in writing by the Department Manager and the City Administrator. Generally, you will not be reimbursed for any business-related calls unless you have received such prior written approval. All requests for reimbursement shall additionally be subject to approval by the Department Manager or City Treasurer. By using your personal cellular telephone, you assume full responsibility for any and all personal costs associated with the use of your cellular telephone service unless other arrangements are approved by the Department Manager and the City Administrator.

The records you create (i.e. text messages, voicemail messages, picture messages, etc.) by using your personal cellular phone for City business will result in the creation of public records on your personal cellular phone. By using your personal cellular phone for City business, you agree to maintain and retain all records consistent with the Public Records Act and the State retention schedule and to provide those records to the City upon request. The City may also require, and you agree, to sign an affidavit related to your search of your personal cell phone upon request should records stored on your personal cellular phone become subject to a public records request.

Managerial Procedures

When determining whether an employee should be **required** to use a cellular telephone in the course of a job, the following factors should be considered: 1) usage costs for a cellular telephone versus alternative communication choices like pagers, voicemail, etc., and 2) the level of employee need; i.e. determine what the phone will be used for, how often will the telephone be used, the ramifications of not having a cellular phone, etc.

Cellular telephone acquisition and usage must be budgeted annually in the City's operating budget and reviewed periodically for a more cost effective service provider or a better method of communication. In the event that a less costly, safer or more convenient alternative is made available, the cellular telephone usage will be discontinued.

6.05 Use of City Property.

City supplies and equipment must be conserved for the authorized conduct of official business and for such services as are available to the public generally. By state law, they are not for personal use. City stationery, supplies and postage may not be used for personal mail.

If you are entrusted with City equipment, materials or property to use in your job, you are responsible for its proper use and maintenance. If you need to borrow or take home City property for City business, you must have authorization from your supervisor.

All communications technology is the property of the City and should be used only for official business. Please limit incoming and outgoing personal phone calls to necessary calls and keep them to a minimum. When personal, long distance use is unavoidable, you should call collect or charge the call to a home telephone or personal credit card, if possible, or log the user charges and reimburse the City for them. You are responsible for all charges incurred and are required to reimburse the City for long distance charges in the following billing cycle. Other City equipment, including vehicles, should be used by employees for City business only. An employee's misuse of City services, telephones, vehicles, equipment or supplies can result in disciplinary action including termination.

The City may provide a locker, cabinet, or desk for your personal belongings. Only City-provided locks may be used on these facilities. The City reserves the right to inspect City-owned property with or without notice, for legitimate business reasons. The City is not responsible for employee valuables, vehicles, or personal possessions brought onto City property. Please also refer to the Travel Policy.

7. STANDARD OF CONDUCT AND DISCIPLINE

We all succeed at the City when we respect the needs and interests of the public, the City, and our co-workers. While the City management generally believes in progressive discipline, which calls for appropriate discipline in appropriate circumstances, the City reserves the right to review each situation independently and to make a decision on what it deems to be appropriate discipline in all cases, up to and including discharge. The City may use “coaching” or counseling initially, to be followed by more serious discipline (such as written reprimands, disciplinary probation, suspension or discharge), if the City determines that the situation is not improved or becomes more flagrant. However, in each situation, the City reserves the right to skip one or more of the steps described below. The decision to use progressive discipline in a given case is an attempt to improve the performance or behavior, but does not change the at-will nature of the employment relationship. For represented employees, the City adheres to procedures set forth in the applicable labor agreement.

Some examples of conduct that may lead to discipline or discharge include:

- Insubordination;
- Unauthorized release of City, customer or co-worker information;
- Swearing or verbal abuse while on City premises or representing the City;
- Falsification of any work, personnel, or other City records;
- Unauthorized taking or removal of City funds or property;
- Dishonesty;
- Discrimination against or harassment or retaliation of co-workers, vendors, or members of the public;
- Possession, consumption, or being under the influence of alcohol or a controlled substance at work, on City premises or while representing the City;
- Deliberate damage to or misuse of City property;
- Bringing a weapon into city facilities or vehicles unless authorized to do so as part of your employment (i.e. police);
- Fighting or threatening to fight with another employee;
- Serious misconduct of any kind;
- Poor performance;
- Excessive absenteeism or tardiness or failure to report in when absent or tardy;
- Failure to comply with safety or security rules and procedures;
- Violation of City policy;

- Improper handling of cash or other financial transactions;
- Sleeping on the job;
- Failure to report immediately to your Supervisor any accident or injury which occurs on the job;
- Failure to report to work for three (3) consecutive workdays without prior notification to the City in the absence of a bona fide reason will be considered job abandonment; and
- Smoking in non-smoking areas or in City vehicles.

These examples are not all-inclusive; other behavior may also be grounds for discipline or discharge.

Managerial Procedures

Verbal Counseling

Supervisors should generally notify employees verbally at least once if the employee commits a less serious offense or the supervisor sees an unacceptable trend in performance or conduct. A memorandum covering the conversation should be prepared by the supervisor for inclusion in the Employee's personnel file, and a copy of the prepared memorandum should be provided to the employee.

If the employee's performance or conduct improves, and no further verbal counseling or other disciplinary action on any issue is required for twelve months of actual service to the City thereafter, the memorandum shall be removed from the Employee's personnel file.

Written Warning

If an employee's inadequate performance or conduct does not improve following verbal counseling, or if an employee commits a serious offense, the supervisor, after consultation with and approval from the City Administrator, should issue a formal written warning to the employee. The employee should receive the original Written Warning, and a copy should be placed in the employee's personnel file.

If the employee's performance or conduct improves, and no further verbal counseling or other disciplinary action on any issue is required for twelve months of actual service to the City thereafter, the Department Manager may request that the Written Warning be removed from the Employee's personnel file. The final decision rests with the City Administrator.

Suspension

There may be times when a suspension is appropriate. All suspensions require the advance approval of the City Administrator. Suspensions for non-exempt employees should be issued by the Department Manager or designee. Only the City Administrator may suspend an exempt employee. A non-exempt employee may be suspended without pay for a period normally not to exceed five (5) work shifts. An exempt employee may be suspended without pay in increments of full workweeks. Circumstances warranting a suspension include, but are not limited to, the following:

- When the City determines the situation or violation poses an imminent danger to persons or City property or disruption to City operations.

- When the City believes that effecting a suspension may resolve a situation short of termination.

Termination

If an employee fails to respond to verbal counseling and/or a written warning of inadequate performance or conduct, or if an employee commits a serious offense, the Employee may be terminated. All proposed termination actions must be reviewed by the City Administrator, City Personnel Director and receive endorsement by the Mayor.

Administrative Leave

The City may place an employee on administrative leave with pay for an indefinite period of time, as determined by the City Administrator to be in the best interest of the City during the period of an investigation or other administrative proceedings. The City may require the employee to be available during their regular work shift while on administrative leave.

7.01 Employee Suggestions and Concerns.

We all benefit when employees have an opportunity to share both suggestions for improving our operations, and concerns about problems they may be having.

If you have an idea for improving the way we do things here at the City of Orting, please share it. It is always appropriate to share such ideas informally with your co-workers and/or supervisor. We also encourage you to write your suggestion down and submit it to the Department Manager or City Administrator.

It is our intent here at the City of Orting to try to do what is fair and reasonable at all times in our day-to-day relations with our employees. To that end, all employees, including supervisors, are urged to use the City of Orting Employee Concern System to address work related concerns. A “concern” is any question or dispute regarding the interpretation or application of the City’s personnel policies and procedures, or other work-related situation. We encourage you to raise any and all work-related concerns. You will not be retaliated against for raising concerns through this process. Concerns regarding discrimination, harassment and retaliation should be raised through the complaint procedure specific to those concerns. Represented employees should use the grievance procedures in their labor agreements.

City of Orting Employee Concern System for all other concerns is set forth below. Steps must be taken in succession.

Step One: Your Supervisor

Each employee is encouraged to take up his/her own employee concern with his/her immediate supervisor. To be sure that we are dealing with current information, please try to raise any concerns within two working days of the occurrence or date that you become aware of it. If the concern is resolved at this step, your supervisor should place a memo in your personnel file regarding the resolution. If your concern involves your immediate supervisor in a way that you are reluctant to discuss it with him/her, please go directly to Step Two. If your supervisor does not respond or his/her response seems unreasonable or not satisfactory, you may go on to Step Two.

Note: The multi-level supervisory command structure of the Police Department shall apply for all uniformed and non-uniformed police employees as Step 1.

Step Two: City Administrator

If the concern cannot be resolved at Step One, you, your supervisor, or your Department Manager may refer it to the City Administrator. After your matter has been studied, and the City Administrator takes whatever steps s/he deems appropriate, s/he will then issue a written response to you, generally within 20 working days of receipt of your concern at Step Two. The decision of the City Administrator will be final and binding. The final resolution will be noted in your file.

8. CODE OF ETHICS AND POLICY FOR REPORTING IMPROPER GOVERNMENTAL ACTION AND PROTECTING EMPLOYEES AGAINST RETALIATION

In compliance with the Local Government Employee Whistleblower Protection Act, RCW 42.41.050, the City of Orting encourages employees to disclose any improper governmental action taken by City officials or employees without fear of retaliation. The policy also safeguards legitimate employer interests by encouraging complaints to be made first to the City, with a process provided for speedy dispute resolution.

Key Definitions – RCW 42.41.020:

Improper Governmental Action: Any action by a municipal official or employee that is:

1. Undertaken in the performance of the official's or employee's official City duties, whether or not the action is within the scope of the employee's employment, and
2. Is in violation of any federal, state or local law or rule; an abuse of authority, of substantial and specific danger to the public health or safety; or a gross waste of public funds, and
3. "Improper governmental action" does not include personnel actions including employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, re-employments, performance evaluations, reductions in pay, dismissals, suspensions, demotions, violations of collective bargaining or civil service laws, alleged violations of labor agreements or reprimands. In addition, employees are not free to disclose matters which would affect a person's right to legally-protected confidential communications, such as attorney-client privilege or executive session communications.

"Retaliatory action" means: (a) Any adverse change in a [City] employee's employment status, or the terms and conditions of employment including denial of adequate staff to perform duties, frequent staff changes, frequent and undesirable office changes, refusal to assign meaningful work, unwarranted and unsubstantiated letters of reprimand or unsatisfactory performance evaluations, demotion, transfer, reassignment, reduction in pay, denial of promotion, suspension, dismissal, or any other disciplinary action; or (b) hostile actions by another employee towards a [City] employee that were encouraged by a supervisor or senior manager or official. RCW 42.41.020(3).

Emergency: A circumstance that if not immediately changed may cause damage to persons or property.

8.01 Prohibited Conduct.

No current city employee shall engage in the following:

Disqualification from Acting on City Business.

- 1) Engage in any transaction or activity which is, or would to a reasonable person appear to be, in conflict with or incompatible with the proper discharge of official duties, or which impairs, or would to a reasonable person appear to impair, the employee's independence of judgment or action in the performance of official duties and fail to disqualify him or herself from official action in those instances where conflict occurs;
- 2) Have a financial or other private interest, direct or indirect, personally or through a member of his or her immediate family, in any matter upon which the employee is required to act in the discharge of his or her official duties, and fail to disqualify himself or herself from acting or participating;

- 3) Fail to disqualify himself or herself from acting on any transaction which involves the City and any person who is, or at any time within the preceding twelve (12) month period has been a private client of his or hers, or of his or her firm or partnership;
- 4) Have a financial or other private interest, direct or indirect, personally or through a member of his or her immediate family, in any contract or transaction to which the city or any city agency may be a party, and fails to disclose such interest to the appropriate city authority prior to the formation of the contract or the time the city or city agency enters into the transaction; provided, that this paragraph shall not apply to any contract awarded through the public bid process in accordance with applicable law.

Improper Use of Official Position:

- 1) Use his or her official position for a purpose that is, or would to a reasonable person appear to be primarily for the private benefit of the employee, rather than primarily for the benefit of the city; or to achieve a private gain or an exemption from duty or responsibility for the employee or any other person;
- 2) Use or permit the use of any person, funds, or property under his or her official control, direction, or custody, or of any city funds or city property, for a purpose which is, or to a reasonable person would appear to be, for other than a city purpose; provided, that nothing shall prevent the private use of city property which is available on equal terms to the public generally (such as the use of library books or tennis courts), the use of City property in accordance with City policy for the conduct of official city business (such as the use of a city automobile), if in fact the property is used appropriately; or the use of city property for participation of the City in activities of associations of governments or governmental officials;
- 3) Except in the course of official duties, assist any person in any City transaction where such City employee's assistance is, or to a reasonable person would appear to be, enhanced by that employee's position with the city; provided that this subsection shall not apply to: any employee appearing on his or her own behalf or representing himself or herself as to any matter in which he or she has a proprietary interest, if not otherwise prohibited by law;
- 4) Regardless of prior disclosure thereof, have a financial interest, direct or indirect, personally or through a member of his or her immediate family, in a business entity doing or seeking to do business with the city, and influence or attempt to influence the selection of, or the conduct of business with, such business entity by the city.

Accept Gifts or Loans:

- 1) Solicit or receive any retainer, gift, loan, entertainment, favor, or other thing of monetary value from any person or entity where the retainer, gift, loan, entertainment, favor, or other thing of monetary value has been solicited, or received or given or, to a reasonable person, would appear to have been solicited, received or given with intent to give or obtain special consideration or influence as to any action by such employee in his or her official capacity.

Disclose Privileged Information:

- 1) Disclose or use any privileged or proprietary information gained by reason of his or her official position for the immediate or anticipated personal gain or benefit of the employee or any other person or entity; provided, that nothing shall prohibit the disclosure or use of information which is a matter of public knowledge, or which is available to the public on request.

Hold Financial or Beneficial Interest in City Transaction:

- 1) Regardless of prior disclosure thereof hold or acquire a beneficial interest, direct or indirect, personally or through a member of his or her immediate family, in any contract which, in whole

or in part, is, or which may be, made by, through, or under the supervision of such employee; or accept, directly or indirectly, any compensation, gratuity, or reward in connection with such contract from any other person or entity beneficially interested therein.

8.02 Prohibited Conduct After Leaving City.

No former employee shall after leaving City office or employment:

- 1) Disclose or use any privileged, confidential, or proprietary information gained by reason of his/her city employment for his/her gain or anticipated gain, or for the gain or anticipated gain of any person, unless the information is a matter of public knowledge or is available to the public on request;
- 2) Assist any person in proceedings involving the agency of the City with which he/she was previously employed, involving a matter in which he or she was officially involved, participated or acted in the course of duty for a period of one year after leaving employment and subject to subsection 1 above;
- 3) Represent any person as an advocate in any matter in which the former employee was officially involved while a City employee for a period of one year after leaving employment and subject to subsection 1 above;
- 4) Participate as a competitor in any competitive selection process for a City contract in which he or she assisted the City in determining the project or work to be done or the process to be used for a period of one year after leaving employment and subject to subsection 1 above.

8.03 Procedure for Reporting Improper Government Action.

City employees who become aware of Improper Governmental Action should follow this procedure:

1. Bring the matter to the attention of his/her supervisor, if the supervisor is not involved in the matter, in writing, stating in detail the basis for the employee's belief that an improper action has occurred. This should be done as soon as the employee becomes aware of the improper action.
2. Where the employee believes the improper action involves the supervisor, the employee may raise the issue directly with the City Administrator, City Personnel Director, or the Mayor. The complaint should be in writing, stating in detail the basis for the employee's belief that an improper action has occurred.
3. After an investigation is completed, the employee will normally be advised of the results of the investigation; however, personnel actions taken as a result of the investigation may be kept as confidential as possible, however, records related to such investigation may still be subject to disclosure under a public records request.

In the case of an emergency, where the employee believes that damage to persons or property may be imminent if action is not taken immediately, the employee may report information about Improper Governmental Action directly to the appropriate government agency with responsibility for investigating the improper action.

City employees who fail to make a good-faith attempt to follow the City's procedures in reporting improper governmental conduct shall not receive the protection against discipline provided by the City in these

procedures.

Complaints, Investigations, Review and Enforcement

Any person may file a complaint alleging a violation of this policy.

The complaint shall be in writing stating the nature of the alleged violation(s), the date(s), time and place of each occurrence, and name of the person(s) charged with the violation(s). The complaint shall be presented to the City Administrator, City Personnel Director, or the Mayor who shall provide a copy to the person charged with a violation. The complainant shall provide the City with all available documentation or other evidence to demonstrate a reason for believing that a violation has occurred.

This policy is intended to protect employees who choose to come forward in good faith with complaints about governmental actions and conduct of City of Orting employees. Anonymous complaints have the potential to subject the person who is the subject of the complaint to an investigation that may, at the least, cause stress and embarrassment, and may, at most, result in discipline or termination of employment. The City is reluctant to begin an investigation based on an anonymous complaint due to the fact that evidence will be difficult to obtain and verify, and it will be impossible to assess the complainant's credibility. Complainants and whistleblowers have protection from retaliation under City policy, and a thorough investigation of such complaints is the City's goal. It is difficult, if not impossible, to conduct a thorough investigation when a complainant remains anonymous. Therefore, the City reserves the right to decline to investigate any complaint that is provided anonymously. If a complaint is received anonymously it shall be referred to the City Attorney for a recommendation on the processing of the complaint. Upon review of the complaint, the City Attorney will recommend to the City Administrator either that the complaint has no merit or that it should be investigated.

Within a reasonable time after receipt of a complaint, the City Administrator or another person appointed by the City Administrator shall conduct a preliminary investigation. If the City Administrator or City Attorney are implicated in the complaint, the Mayor will determine who will conduct the City's investigation. Criminal allegations will be referred to the proper law enforcement agency.

If the City Administrator determines, after preliminary investigation, that there are no reasonable grounds to believe that a violation has occurred, the City Administrator shall dismiss the complaint. If the City Administrator does so dismiss the complaint, he or she shall do so in writing, setting forth the facts and provisions of law upon which the dismissal is based, and shall provide a copy of the written dismissal to the complainant and to the person charged with the violation.

Within a reasonable time after a complaint is received, the City Administrator shall issue a written determination stating whether the policy has been violated and setting forth the facts and the provisions of law upon which this determination is based. A copy of said determination shall be delivered to the complainant and to the person charged with the violation.

If the City Administrator determines that an employee has violated the provisions of this policy, the City Administrator may subject the employee to disciplinary action. In addition to any other penalty herein or otherwise provided by law, a violation shall be cause for suspension, discharge, or removal from employment, or such other disciplinary action as may, by the appropriate city authority, be deemed necessary and proper, and consistent with personnel ordinances and rules; provided, that this section shall not derogate from employee rights under any collective bargaining agreement or city personnel ordinance, or rules promulgated thereunto.

Protection Against Retaliatory Actions

City of Orting officials, Department Managers and employees are prohibited from taking retaliatory action against an employee because he or she has in good faith reported an improper governmental action in accordance with these policies and procedures. Employees who believe that they have been retaliated against for reporting an improper governmental action should advise in writing their supervisor, the City Administrator or the City Administrator's designee. City of Orting officials, Department Managers and supervisors shall take appropriate action to investigate and address complaints of retaliation.

If the employee's supervisor, the City Administrator, or the City Administrator's designee, as the case may be, does not satisfactorily resolve an employee's complaint that he or she has been retaliated against in violation of this policy, the employee may obtain protection under this policy and pursuant to state law by providing a written notice to the City of Orting's City Council that:

- a) Specifies the alleged retaliatory action and
- b) Specifies the relief requested.

City of Orting employees shall promptly provide a copy of their written charge to their Department Manager. The City of Orting shall timely respond to the written charge of retaliatory action. After receiving either the response of the City of Orting or thirty days after the delivery of the charge to the City of Orting, the employee may request a hearing before a state administrative law judge to establish that a retaliatory action occurred and to obtain appropriate relief provided by law. An employee seeking a hearing should deliver the request for hearing to the City Administrator within the earlier of either fifteen (15) days of delivery of the City of Orting's response to the charge of retaliatory action, or forty-five (45) days of delivery of the charge of retaliation to the City of Orting for response. Upon receipt of request for hearing, the City of Orting shall apply within five (5) working days to the State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge:

Office of Administrative Hearings
PO Box 42488, 4224 Sixth S.E.
Rowe Six, Building 1
Lacey, WA 98504-2488
(206) 459-6353

The City of Orting will consider any recommendation provided by the administrative law judge that the retaliator be suspended with or without pay, or dismissed.

8.04 Conflict of Interest and Outside Employment.

Employees shall not, directly or indirectly, engage in any outside employment or possess a financial interest which may conflict, in the City Administrator's opinion, with the best interests of the City of Orting or interfere with the employee's ability to perform his/her assigned City job. Examples include, but are not limited to, outside employment which:

1. Prevents the employee from being available for work beyond normal working hours, such as during emergencies or peak work periods, when such availability is a regular part of the employee's job;
2. Is conducted during the employee's work hours;

3. Utilizes City telephones, cellular telephones, computers, supplies or any other City resource, facilities or equipment;
4. Involves employment with a firm which has contracts with or does business with the City; or
5. May reasonably be perceived by members of the public as creating a conflict of interest or one which otherwise discredits public service.

This policy shall be interpreted in accordance with, Chapter 42.23 RCW, the Washington State Code of Ethics for Municipal Officers.

8.05 Confidentiality.

During your employment with the City, you will have access to confidential or proprietary information about the City, its employees and possibly its citizens. It is a violation of City policy to misappropriate such information for your personal use or the use of another third party. Employees must exercise the highest degree of care in safeguarding confidential or proprietary information, and may not use or disclose such information except as necessary to perform their job duties or as required by law such as in response to a Public Records Request. Violation of this confidentiality policy will be grounds for discipline up to and including termination.

8.06 Contact with News Media.

The Mayor, City Administrator or City Attorney shall be responsible for all official contacts with the news media, including answering of questions from the media. The City Administrator may designate specific employees to give out procedural, factual or historical information on particular subjects. City employees will refrain at all times from disclosing confidential City information to the media. A violation of this provision may subject an employee to discipline, including termination.

9. HEALTH, SAFETY AND SECURITY

9.01 Workplace Health & Safety.

The City of Orting wants to provide you with a safe and healthy work environment, and we need your help to do that. The following is basic safety information. Consult with the City Personnel Director if you need more information.

- If you are injured on the job, no matter how minor, you must let the City Personnel Director know on the same day, and fill out an accident report as soon as possible.
- Learn and follow all safety procedures promulgated by the City's Safety Committee.
- Report any unsafe condition or damage to property on the same day observed to the City Personnel Director.
- Become familiar with any Material Safety Data Sheets applicable to your job.
- Learn proper procedures for heavy lifting and adhere to them.
- Keep your individual work area clean and orderly. Untidiness and clutter invite accidents.
- Know and follow the safety rules established for your job. When in doubt, ask before proceeding.
- Do not allow unauthorized persons to operate equipment or have access to restricted areas.
- If you are assigned to a job requiring protective clothing or equipment, use it without fail. Always dress in a way that will not invite job-related injuries.
- Store all materials and equipment in their proper areas.

9.02 Safety & Health Program.

As required by Washington law, anyone operating or riding in City vehicles must wear a seat belt at all times.

Safety is the responsibility of every City employee. Each employee must be alert to any condition which poses a potential threat to a safe and healthful working environment, and must take appropriate action to eliminate these conditions where they exist. Supervisors and other members of the City's management team have the following safety-related responsibilities

- Maintain a safe and healthful working environment.
- Conduct an ongoing accident prevention program.
- Investigate, record and report work-related injuries and illnesses.
- Develop proper attitudes toward safety and health in themselves and in those they supervise.

- Ensure that all work processes and procedures are performed with the utmost regard for safety and health.
- Ensure that all employees are oriented and properly trained in the safe performance of their job.
- Communicate and comply with City safety regulations and legal requirements.

9.03 Smoke-Free Workplace.

For health and safety considerations, the City prohibits smoking by employees in all City vehicles and facilities, including City-owned buildings and offices or other facilities rented or leased by the City, including individual employee offices. A smoke-free environment helps create a safe and healthy workplace. This policy covers the smoking of any tobacco, smoke, or marijuana product and the use of such products including but not limited to cigarettes, cigars, snuff, smoking tobacco, “spit” tobacco, vape products, electronic smoking devices, e-cigarettes, and marijuana.

Outdoor Smoking Restrictions: Chapter 70.160 RCW significantly restricts the outdoor areas where individuals may smoke in relation to the location of City buildings, work areas and public places. Smoking is prohibited within twenty-five (25) feet of any entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited. The law also applies to any “place of employment,” which the law defines, in part, as “work areas” and any area which employees are required to pass through during the course of employment. The following direction identifies where and when City employees may and may not smoke.

1. Because the law prohibits any person from smoking at a place of employment, members of work crews are prohibited by law from smoking at any worksite locations. While at a worksite, an employee may only smoke while on his or her break, and the employee must be at least 25 feet from other working City employees. An employee who is on a break must be at least 25 feet from all entrances, exits, windows that open, and ventilation intakes that serve an enclosed area in order to smoke
2. Smoking on City Property is prohibited.

9.04 Drug-Free Workplace.

This policy is intended to comply with the federal Drug Free Workplace Act of 1988 and with federal Department of Transportation regulations governing commercial drivers. The City is committed to maintaining a drug and alcohol free work environment for the safety of all employees and citizens. This policy applies to all City of Orting employees except that employees included in bargaining units are subject to drug testing only if:

- 1) The labor contract covering them specifically allows for such testing; or
- 2) The issue of drug testing has been legally bargained to final impasse; or
- 3) A written agreement between management and the employee’s bargaining agent has been signed and executed to provide for drug testing.

All other provisions of this policy, apart from the limits to drug testing as specified above, shall apply to all City employees.

Employees are strictly prohibited from possessing, selling, consuming, or being under the influence of any controlled substance or alcohol while on City property, in City vehicles, or engaged in City work. If an employee is taking prescription drugs or under prescribed medical treatment that makes the employee drowsy or impairs the employee's mental functioning in any way, the employee must inform the City Personnel Director in advance of reporting to work. Any violation of this policy may result in discipline, up to and including termination.

When there are reasonable grounds to believe that the employee is under the influence of alcohol or drugs, the supervisor may direct the employee to submit to drug screening and blood alcohol tests. Refusal to submit to such tests can subject the employee to disciplinary action up to and including termination of employment. Under no circumstances will an employee be allowed to operate City equipment or motor vehicle after a supervisor has reasonable grounds to believe that the employee is impaired.

It is the responsibility of employees who are called out to work after regular hours to comply with the provisions of this policy. If the employee called out to work has been involved in activities that may have left him/her in an impaired or intoxicated condition, the employee must inform the person making the call out. An on-call employee who consumes alcohol within four hours of being called in must acknowledge the use of alcohol and may not report for duty.

An employee who is on-call and who becomes impaired during the on-call time will not receive compensation for such on-call time. An employee who is on-call and who becomes impaired during the on-call time may be subject to discipline up to and including termination. An employee should conduct themselves during on-call time as they would during at-work hours (i.e. refrain from consuming alcohol or drugs).

9.05 Assistance Program / Voluntary Referral.

The City of Orting supports employees who volunteer for treatment of alcohol or drug abuse. Employees are encouraged to seek treatment voluntarily and to utilize the Employee Assistance Program (EAP). Any employee who comes forth and notifies the City of Orting of alcohol or drug abuse problems will be given the assistance extended to employees with any other illness. Any such program, however, may not interfere with the tests required by these rules. For example, a driver may not identify himself/herself as unfit to drive after having been notified of a random or reasonable suspicion test and expect to avoid the consequences for a positive test or a refusal to test. In addition, voluntarily seeking assistance does not excuse any failure to comply with all of the provisions of this policy or other policies of the city. Sick leave, vacation leave or leave of absence without pay will be granted for treatment and rehabilitation as in other illnesses subject to City of Orting policy and/or contract language governing use of leave. Insurance coverage for treatment will be provided to the extent of individual coverage. Confidentiality of information will be maintained as much as possible at all times.

9.06 Compliance with Drug Free Workplace Act.

It is the policy of the City of Orting to comply with the Federal Drug Free Workplace Act of 1988. Toward that end, the following provisions and procedures shall be in effect:

- a) In the event that an employee is convicted of any criminal drug statutory violation for a violation occurring in the workplace, the employee must notify his/her supervisor within 5 working days. The supervisor must inform his/her Department Manager within 24 hours of the notification. The Department Manager will notify the City Administrator immediately. If the employee is directly

involved in the performance of a contract for which the City receives federal funding, the contracting agency must be informed of the incident in writing within ten (10) days of the employer's notice. A copy of the notification shall be sent to the City Administrator. The City of Orting is responsible to take appropriate disciplinary action and/or to require the employee to seek approved drug abuse treatment or rehabilitation within 30 days of receiving notice of the employee's conviction.

- b) All employees shall receive a copy of this policy. All employees will be required to sign a statement acknowledging that they have received a copy of this policy.
- c) The City will make information and education on the prevention of alcohol and drug abuse available to its employees.

9.07 Compliance with Federal Regulations Applicable to Commercial Drivers.

It is the policy of the City of Orting to comply with the Federal Department of Transportation regulations (Title 49, CFR subtitle B, chapter 382) which mandate prohibited behaviors and employer responsibilities for employee's holding safety sensitive positions which require the possession of a valid commercial driver's license.

Prohibited Behaviors - In addition to any other prohibitions on the use of alcohol or controlled substances established through City policy or by contract, the following behaviors by employees whose positions require the possession of a valid commercial driver's license are prohibited and will be subject to discipline:

- a) Alcohol Concentration: Reporting to duty and performing safety-sensitive functions while having an alcohol concentration of 0.01 or greater.
- b) Alcohol Possession: Unauthorized possession of alcohol while on duty or operating a commercial motor vehicle unless the alcohol is an insignificant ingredient in a medication that is either prescribed or a commonly recognized over-the-counter remedy and notice has been given to the employee's Department Manager in advance.
- c) Alcohol Use Following an Accident: Use of alcohol within eight hours following an accident or before undergoing a post-accident alcohol test, whichever occurs first.
- d) Alcohol Use on Duty: Use of Alcohol while performing safety-sensitive functions including alcohol which may be in medications.
- e) Alcohol Use Prior to Duty: Performing safety sensitive functions within four hours after having used alcohol. An on-call employee who consumes alcohol within four hours of being called in must acknowledge the use of alcohol and may not report for duty.
- f) Controlled Substance (Drug) Use: Reporting for duty or remaining on duty performing safety-sensitive functions after having used any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle. The proper and lawful use of drugs is permitted provided their use does not interfere with the individual's ability to perform the essential functions of his/her job. Any employee taking prescribed medication that may impair his/her ability to work safely and productively must notify his/her manager prior to commencing to work. The manager, in consultation with the employee's physician, if necessary, will make the determination regarding the employee's qualifications to work. Information provided to the manager will be treated as confidential. Disclosure by the City will only be required by law or in the event of a proceeding initiated on behalf of the employee. Failure to notify the manager in advance of commencing to work will be cause for disciplinary action up to and including discharge.

- g) Positive Drug Test: Reporting for duty, remaining on duty, or performing safety sensitive functions after having tested positive for a controlled substance.
- h) Refusal to Submit to a Required Test: Refusing to submit to a post-accident, random, reasonable suspicion, or follow-up alcohol or controlled substance test as directed pursuant to this policy.
- i) Tampering with a Required Test: An employee may not tamper with, adulterate, alter, substitute or otherwise obstruct any testing process required under this policy.

Mandatory Training for Commercial Drivers - The City shall provide all affected employees with copies of this policy and any other information as required by the federal regulations. Each driver shall sign a receipt upon having been provided the above referenced information including a copy of this manual and accompanying procedures for drug testing. Department Managers and supervisors designated to determine whether reasonable suspicion exists to require a commercial driver to undergo alcohol or drug testing will receive at least 60 minutes of training on alcohol and 60 additional minutes of training on substance abuse. The training will convey the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances.

9.08 Drug and Alcohol Testing Program for CDL Drivers.

- a) Pre-employment Drug Testing: All individuals who are covered by this policy must pass a drug test as a post-offer condition of employment.
- b) Reasonable Suspicion Testing: Employees subject to this policy shall submit to a drug and/or alcohol test when the employee's supervisor, City Personnel Director, or City Administrator reasonably suspects that this policy (except the prohibitions against unauthorized possession, transfer or sale of alcohol) may have been or is presently being violated. A referral for testing will be based on contemporaneous, articulable observations. Such referrals will be made by supervisory personnel who have received training concerning the signs and symptoms of drug and alcohol use. Alcohol testing for reasonable suspicion may be conducted at any time during working hours. If removed from duty based on reasonable suspicion of alcohol use and an alcohol test is not administered within eight hours, the employee will not be allowed to perform or continue to perform covered functions until:
 - 1) An alcohol test is administered (normally within 2 hours of the determination of reasonable suspicion) and the driver's breath alcohol concentration measures less than .01; or
 - 2) 24 hours have elapsed following the determination that there is reasonable suspicion to believe that the employee has violated this policy concerning the use of alcohol.
- c) Post-Accident Testing: Following an accident (as defined above) involving a commercial vehicle, the driver is required to submit to alcohol and drug tests when the driver receives a citation under state or local law for a moving traffic violation, or where a fatality occurs as a result of the accident. Testing should occur as soon as possible, but may not exceed eight hours after the accident for alcohol testing and 32 hours after the accident for drug testing. A driver who is subject to post-accident testing must remain readily available for such testing and may not take any action to interfere with testing or the results of testing. Drivers who do not comply with post-accident testing requirements will be considered to have refused to submit to testing and will be subject to sanctions for refusal to test as provided in this policy. While awaiting a post-accident test, the driver will be in a paid status.
- d) Random Testing: Employees covered by this policy will be subject to random, unannounced alcohol and drug testing.

- e) Return to Duty Testing: Employees who have violated this policy, including those who have tested positive on a drug or alcohol test, and who under the discipline policy are allowed to return to work, must test negative prior to being released for duty.
- f) Follow-up Testing: An employee who is referred for assistance related to alcohol misuse and/or use of drugs is subject to unannounced follow-up testing for a period as directed by a substance abuse professional. The number and frequency of follow-up testing will be based on the recommendation of the substance abuse professional, but will not be less than six tests in the first 12 months following the employee's return to duty.
- g) Re-Tests: Employees who test positive for drugs may request a second test of the untested portion of the split sample within 72 hours of notification of a positive test result by the Medical Review Officer (MRO).
- h) Test Results: Test results will be expressed as positive or negative based on detection of levels of alcohol or controlled substances as established by federal Department of Transportation standards.
- i) Challenges to Test Results: An employee who wishes to challenge a positive drug test must do so within 72 hours of notification of the positive result. The employee must notify the MRO that he/she wishes to challenge the test and must pay for the retest. The retest must be processed at a DHHS-NIDA-certified laboratory. If the MRO certifies that the second drug test is negative, an employee will be reimbursed for the cost incurred including any lost compensation.

9.09 Refusal by a Commercial Driver to Submit to an Alcohol or Drug Test.

Refusal to submit to a directed test is a prohibited behavior shall subject the employee to appropriate discipline. A refusal to submit shall include:

- a) Failure to provide adequate breath for testing without a valid medical explanation after an employee has received notice of the requirement for breath testing in accordance with established procedures;
- b) Failure to provide adequate urine for controlled substances testing without a valid medical explanation after an employee has received notice of the requirement for urine testing in accordance with the procedures manual; and/or
- c) Engaging in conduct that obstructs the testing process.

9.10 Securing Information from Previous Employers.

If a person is to be hired into a position subject to this policy and during the previous two years has worked as a driver of a commercial vehicle, that person must authorize a request of all employers of the driver within the past two years of information on the following: a) positive alcohol or drug tests; or b) refusal to be tested. The City of Orting will make a good faith effort to obtain and review the information from prior employers within 14 days of the person performing safety sensitive duties for the first time. If the information obtained from previous employer indicates either a positive test or that a refusal to be tested occurred within the past two years, that person will not be permitted to drive commercial vehicles unless subsequent information indicates that an evaluation by a substance abuse professional was made and return to duty testing was administered.

9.11 Consequences for CDL Drivers of Engaging in Prohibited Behaviors and/or of Positive Drug or Alcohol Test Results.

Employees found to have engaged in prohibited behavior or to have tested positive for drugs shall be subject to discipline up to and including termination from employment. The following provisions apply to those employees who are not terminated for their policy violations:

- a) If an employee tests positive for drugs or has an alcohol test that indicates a breath alcohol level of .04 or greater or any amount of THC or other drugs not prescribed by a doctor from a random, reasonable suspicion or post-accident test, or engages in prohibited conduct, the employee will be immediately removed from duties requiring the driving of a commercial vehicle. The employee will not be permitted to return to work unless he/she:
 - 1) Has been evaluated by a qualified substance abuse professional; and,
 - 2) If recommended by a substance abuse professional, has properly followed any rehabilitation prescribed; and,
 - 3) Has a verified negative result on a return-to-duty alcohol and/or drug test. Upon completion of a recommended rehabilitation program and successful return to work, an employee will be subject to follow-up random testing as recommended by the substance abuse professional, with a minimum of six such unscheduled tests within the first twelve months of returning to duty.
- b) Employees with a positive breath alcohol concentration shall be removed from the duty requiring the driving of a commercial vehicle for at least 24 hours. The time away from work shall be charged to vacation, sick leave, or leave without pay at the employee's option, and will be considered an unscheduled absence.

9.12 Workplace Privacy/Searches.

The City cannot assume responsibility for any theft or damage to the personal belongings of City employees. Therefore, the City requests that employees avoid bringing valuable personal articles to work. Employees are solely responsible for ensuring that their personal belongings are secure while at work. Employees are further advised that work-related searches of an employee's work area, workspace, computer and/or electronic files on City property may be conducted without notice. Employees should have no expectation of privacy as to such items or locations.

9.13 Accident, Incident, & Claims Reporting Procedures.

It is essential that all accidents and incidents are reported promptly and accurately. The City is *continuously* committed to maintaining a safe environment for their residents, users of city facilities and employees.

Incident Reporting

Make accurate notes and record all details of any incident observed or brought to your attention. Report incidents on the same day. Be observant and accurate. Take pictures if possible.

Serious incidents shall be phoned in to the Department Manager, City Personnel Director or City Administrator's office immediately. A few examples of incidents that are required to be reported immediately are: any serious injury involving City property or personnel, auto or pedestrian injury, downed stop sign accident, police shootings, and large property loss. ***Do not admit liability or state that the City will take care of the damages.***

Communicating With the Public about Incidents

An individual may come into City Hall wanting the “employee’s opinion” as to what to do regarding an incident involving City liability. It is the policy of the City to respond in the following manner: If a member of the public feels the City is responsible for damages, then that individual has the right to file a claim. The City Administrator’s office must be notified immediately of any inquiry being made so that a brief interview with the individual can be conducted. **Do not admit liability or state that the City will take care of the damages. Refer all questions to the City Administrator’s office.** Do not discuss the incident with anyone other than your supervisor or other authorized personnel.

9.14 Inclement Weather.

The public’s need for our services may be especially great during inclement weather. Therefore, it is particularly important for employees to report to work in a safe manner during inclement weather if the City does not declare an emergency closure. We do not want you to jeopardize your safety, however, if you cannot get to work or are delayed and you should try to reach your Department Manager as soon as possible to let him/her know. Non-exempt employees who are unable to get to work because of inclement weather conditions will be granted an authorized unpaid absence or may use vacation time. Non-exempt employees who arrive less than two (2) hours late because of inclement weather will be paid for their normal time. If you are more than two (2) hours late, you will be given a chance to make up the time if schedules and conditions permit. If you are released early by authorization of the Mayor or City Administrator due to weather conditions, you will be paid for the unworked time.

Managerial Procedures

“Inclement weather” is defined as weather such as high winds, heavy rain, heavy snow, etc. Any employee unable to report to work, with prior approval of the supervisor, will be given the opportunity to make up the time during the same workweek, or may charge the time as they choose to accrued compensatory time; accrued vacation leave; or leave without pay. You should follow the same practice for emergencies. An “emergency” is defined as any condition which is beyond the control of the City as declared by the City Mayor, or designee, such as earthquakes, explosions, major fires and an airplane crash. (This is only an illustrative list.) Employees who have reported to work and are released from work during an emergency situation shall be given the opportunity to make up the time during the same work week, or shall charge the time of such absence as listed above.

9.15 Emergencies and Disaster Preparedness.

Knowing what to do in an emergency increases the chances that you and everyone else will come through safely. Meanwhile, please keep the following in mind.

If you are advised to evacuate the building, either for a drill or in an actual emergency, do so calmly but swiftly and stay out of the building until you are advised that you may return.

In case of an earthquake, drop to the ground, seek protective cover under or near desks, tables or chairs in a kneeling or sitting position with hands holding onto table or chair legs. Stay there until movement ends.

In case of fire, turn on the alarm and leave the building through the closest available door. Do not try to put out the fire unless you are professionally trained.

10. CHANGES IN EMPLOYMENT

Here at the City of Orting, we want change to be a positive experience.

10.01 Promotion, Demotion, and Transfer.

It benefits both you and the City for you to be doing the job for which you are best suited. Accordingly, the City looks for opportunities for employees to move within the organization.

Promotion

The City may fill vacancies above the entry level from within. Current employees receive first consideration for openings for which they have the knowledge, skills, and abilities, unless outside recruitment seems advisable. Vacant jobs are normally posted in the applicable Department and in City Hall. You may apply for a vacant position through the Human Resources office. If you apply for an open position, you generally will go through the City's normal recruitment and selection process. A promotion normally entails a wage increase.

Demotion

Occasionally, it may be necessary for an employee to move to a lower paying job. This normally occurs when the employee is not satisfactorily performing the essential functions of the current job. It may also occur in lieu of layoff, when there is a lower paying position available. An employee is eligible for a demotion only if he or she possesses the minimum qualifications for the position. Demotion to a position in a lower classification is normally accompanied by a salary reduction to a level commensurate with the new position.

Transfer

Vacant positions may also be filled through lateral transfer of qualified employees. A voluntary transfer request will be considered if the employee meets the requirements of the new position, has held the current position for at least six months, has a satisfactory performance record and has had no disciplinary actions during the six month period. If you are interested in a transfer, submit a written request for a transfer to your department head, including the reason for the request, and the department and specific position desired. Your request will be forwarded to the Human Resource Office with a recommendation. Normal recruitment and selection procedures generally will be followed as with a promotion.

10.02 Layoff and Recall.

Unfortunately, there may be times when the City must reduce employment because of lack of work, lack of funds, considerations of efficiency or other business reasons. Such reductions may result in layoffs. Layoffs may be temporary or permanent. Layoffs for represented employees will be handled in accordance with their labor agreements.

In making layoff selections for non-represented personnel, the City will generally lay off temporary employees, part-time employees and those with less than six months of actual service in the affected job classification before laying off regular full-time personnel with more than six months of service in the affected job classification. In making layoff decisions affecting full-time, non-represented employees with more than six months of service to the City, the City may consider a number of factors, including seniority, job performance, and the extent to which each employee has the skills and abilities necessary to do the

remaining work as determined solely by the City in its discretion.

While Collective Bargaining Agreements may generally require layoff by seniority, it is usually in the employer's interest to maximize its ability to retain the "best" employees - sometimes that's those with the most seniority and sometimes it's not. The City may deviate from this selection order if the best interests of the City so dictate. Employees who have actually worked for the City for more than six months and who have been selected for layoff will be given 30 days' notice when possible. Employees with less than six months of actual service to the City who have been selected for layoff will be given one week's notice when possible. The City, in its discretion, may provide employees selected for layoff with payment in lieu of notice.

Laid off employees will be maintained on a recall list for one year or until management determines the layoff is permanent, whichever occurs first. While laid off, an employee should make sure Human Resources has a current address, and let them know if you are unavailable for recall to the same position. Employees have seven (7) days after notice of recall to respond to the notice, or their names will be removed from the list. Further information about benefits, seniority and recall rights will be shared with you if you are chosen for layoff.

10.03 Separation from Employment.

The employment relationship between the City and its employees is voluntary. All employees have the right to end the employment relationship if they deem it appropriate. Likewise, for all employees except those covered by a written agreement that modifies at-will status, the City can end the relationship at any time for any reason it deems appropriate.

Resignation

If you decide to leave the employ of the City, please give written notice to your supervisor. Employees failing to give appropriate written notice may be ineligible for rehire. Supervisory and managerial employees should give four (4) weeks' written notice. All other employees should give at least two (2) weeks' written notice.

10.04 Separation Procedures.

Separating and laid off employees will be asked to participate in an exit interview with a member of the City management staff on or before their last day of work to explore such issues as the reasons for the separation, the employee's suggestions for improving working conditions, any benefits issues, and to collect City property. Separating employees who desire the City to provide references on their employment will be asked to sign an authorization and release form for that purpose. References other than job title and dates of employment will not be given without such a release. Final pay checks are generally paid the next regular pay day.

CONCLUSION

Again, we welcome you to your employment here at the City of Orting. We are pleased to have you on our team. We hope that this Personnel Policies and Procedures Manual has answered questions that you may have about our workplace. Please feel free at any time to present any questions to your supervisor. We look forward to working with you.

CITY OF ORTING ACKNOWLEDGMENT OF RECEIPT

I have received the City of Orting Personnel Policies and Procedures Manual (“Manual”) and understand that it is my responsibility to read these policies and ask questions about anything I do not understand.

I acknowledge that these policies are general guidelines only. They do not promise specific treatment in specific circumstances, they do not create an employment contract, and they do not guarantee employment for any length of time with the City. I understand, however, that the Manual contains policies that are very important to the City’s ability to provide a lawful and respectful work environment. I have reviewed the policies in the Manual, including but not limited to the Anti-Discrimination and Anti-Harassment policies, and I agree to comply with those policies. I understand that violation of City policies may result in discipline, up to and including discharge, subject to legal and collective bargaining agreement requirements.

I acknowledge that the City must be flexible in responding to the needs of the public or changes in the law, and that the City has therefore reserved the right to revise, supplement, clarify, deviate from or rescind any policy or portion of a policy when deemed appropriate by the City and in accordance with any applicable collective bargaining obligations.

The City does not have the authority to modify at-will employment status until that modification is in writing and signed by the City Administrator and/or City Council.

I understand that if I am covered by a collective bargaining agreement, then that contract will control in the event of any conflict with the policies in this Manual and that the agreement is the exclusive source of information regarding my benefits with the City.

Date: _____ Employee: _____
(Print name)

Signature: _____



**City Of Orting
Council Agenda Summary Sheet**

Subject: CONTINUITY OF OPERATION PLAN (COOP) - RESOLUTION NO. 2019-05.		Committee	Study Session	Council
	Agenda Item #:		AB19-15	AB19-15
	For Agenda of:		2.20.19	2.27.19
	Department:	Emergency Management		
	Date Submitted:	2/14/19		
Cost of Item:	<u>\$ 0</u>			
Amount Budgeted:	<u>\$ 0</u>			
Unexpended Balance:	<u>\$ 0</u>			
Bars #:				
Timeline:				
Submitted By:	Bethune			
Fiscal Note:				
Attachments: COOP and Draft Resolution				
<p>SUMMARY STATEMENT: The Federal Government recommends cities to have a “Continuity of Operations Plan”. The essence of this planning is to ensure the city can be re-constituted following a significant disaster. The City has alternate facilities to operate during a disaster. Most of our records are electronic and backed up on servers outside our state. We are continuing to work on ensuring other vital records are turned into electronic records and the Council has budgeted for that process this year. One final important aspect of the plan is a succession plan for all critical positions. Inevitably some leaders will not be able to be a part of an emergency response or available during continuity operations.</p>				
<p>RECOMMENDED ACTION: Move Forward To The Consent Agenda For The February 27th, 2019 Meeting.</p>				
<p>FUTURE MOTION: Move To Approve The City Of Orting’s Continuity Of Operations Plan As Presented.</p>				

**CITY OF ORTING
WASHINGTON
RESOLUTION NO. 2019-05**

**A RESOLUTION OF THE CITY OF ORTING,
WASHINGTON, ADOPTING THE CONTINUITY OF
OPERATIONS (“COOP”) PLAN; AND ESTABLISHING AN
EFFECTIVE DATE**

WHEREAS, the ability of a jurisdiction to maintain delivery of essential functions to the community during and following an emergency or disaster is critical to the protection of life, property, and the environment; and

WHEREAS, the City of Orting (“City”) emergency planning staff has developed a Continuity of Operations (“COOP”) Plan to help the City maintain delivery of essential functions to Orting during and following an emergency or disaster; and

WHEREAS, the COOP Plan was developed in accordance with the Federal Emergency Management Agency’s (“FEMA”) *Continuity Guidance Circular 1 (CGC 1), Continuity Guidance for Non-Federal Entities (States, Territories, Tribal, and Local Government Jurisdictions and Private Sector Organizations)*, dated January 21, 2009, and *Continuity Guidance Circular 2 (CGC 2), Continuity Guidance for Non-Federal Entities: Mission Essential Functions Identification Process (States, Territories, Tribes, and Local Government Jurisdictions)*, dated July 22, 2010; and

WHEREAS, the COOP Plan takes an integrated approach to service delivery, decision making, and resource management to facilitate the City’s ability to best serve the Orting community during and following an emergency or disaster, and is a “living document” that will be updated over time; and

WHEREAS, the City Council now wishes to adopt the COOP Plan on behalf of the City.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ORTING,
WASHINGTON, DOES RESOLVE AS FOLLOWS:**

Section 1. Adoption of Continuity of Operations Plan. The City Council hereby adopts the Continuity of Operations Plan attached hereto as Exhibit A.

Section 2. Authorization. The City Administrator is hereby authorized and directed to take whatever steps are necessary to help ensure the successful implementation of the Plan.

Section 3. Effective Date. This Resolution shall be effective upon passage.

Section 4. Corrections Authorized. The City Clerk is authorized to make necessary corrections to this Resolution including, but not limited to, correction of clerical errors.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 27TH DAY OF FEBRUARY, 2019.

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Jane Montgomery, City Clerk

Approved as to form:

Alexandra L. Kenyon
Kenyon Disend PLLC
Acting City Attorney

**City of Orting
Continuity of Operations Plan
January 1, 2019**

FOR OFFICIAL USE ONLY

Information contained in this document is to be used only to contact departmental personnel in response to an emergency situation. It is not for distribution outside the department.

This plan is NIMS compliant in accordance with HSPD#5.

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BASIC PLAN

I. Promulgation Statement

The City of Orting's Emergency Management mission during a catastrophic event is to reduce loss of life and property, to provide ongoing essential services to Orting citizens, and to provide for the restoration of full city services. To accomplish this mission, the City must ensure its operations are performed efficiently with minimal disruption, especially during an emergency. This document provides planning and program guidance for implementing the City's Continuity of Operations Plan (COOP) and programs to ensure the organization is capable of conducting its essential missions and functions under all threats and conditions.

Upon plan activation, in the advent that an alternative site must be used for operational continuity, personnel who are relocated will deploy to:

Fire District Station 43
14919 Orting-Kapowsin Hwy.
Pierce County, WA (Outside the City of Orting)

Third Alternate Facility:

Graham Fire District Station 94

Upon arrival, continuity personnel must establish an operational capability and perform essential functions within 12 hours from the time of the activation of the COOP, for up to a 30-day period or until normal operations can be resumed.

This plan is developed in accordance with guidance in the *National Continuity Policy Implementation Plan*, dated August 2007; *Continuity Guidance Circular 1 (CGC 1)*, *Continuity Guidance for Non-Federal Entities (States, Territories, Tribal, and Local Government Jurisdictions and Private Sector Organizations)*, dated January 21, 2009; *Continuity Guidance Circular 2 (CGC 2)*, *Continuity Guidance for Non-Federal Entities*, dated July 22, 2010; *Pierce City Continuity of Government Operations Plan (COGO)*, 2011; and other related Directives and guidance.

II. Record of Changes

Document Change Table

Change Number	Location of Change	Date of Change	Individual Making Change	Description of Change

III. Record of Distribution

Document Transmittal Record

Date of Delivery	Number of Copies Delivered	Method of Delivery	Name, Title, and Organization of Receiver

IV. Purpose, Scope, Situations, and Assumptions

A. PURPOSE

The City of Orting's Emergency Management mission during a catastrophic event is to reduce loss of life and property, to provide ongoing essential services to its citizens, and to provide for the restoration of full city services. To accomplish this mission, the City must ensure its operations are performed efficiently with minimal disruption, especially during an emergency. This document provides planning and program guidance for implementing programs to ensure the organization is capable of conducting its essential missions and functions under all threats and conditions. While the severity and consequences of an emergency cannot be predicted, effective contingency planning can minimize the impact on the City's missions, personnel, and facilities.

The overall purpose of City continuity of operations planning is to ensure the continuity of essential functions under all conditions. The current changing threat environment, combined with recent disasters, both nationally (e.g. Katrina, the BP oil spill in the Gulf of Mexico, or the tornadoes of 2011), or internationally (e.g. the Japanese earthquake, tsunami, and nuclear plant meltdown of 2011) have shown the need for viable continuity of operations capabilities and plans that enable departments to continue their essential functions across a spectrum of emergencies. This means a major commitment to developing all hazard COOPs is essential. Without pre-event planning for all known hazards, the City of Orting may be unable to adequately fulfill critical functions when needed, especially during and in the aftermath of a catastrophic incident.

B. SCOPE

This Plan applies to the functions, operations, and resources necessary to ensure the continuation of the city's essential functions, in the event its normal operations are disrupted or threatened with disruption. It also applies to incidents where its ability to support its mission essential functions must be maintained by a very limited number of staff due to an incident that limits staff ability to respond (e.g. pandemic flu). This plan applies to all City personnel. Staff must be familiar with continuity policies and procedures and their respective continuity roles and responsibilities.

This document ensures that the City is capable of conducting its essential missions and functions under all threats and conditions, with or without warning.

C. SITUATION OVERVIEW

It is the policy of City government to maintain a comprehensive and effective continuity capability that includes Departmental Continuity of Operations Plans and a City Continuity of Government Operations Plan. This is meant to ensure the preservation of City government and the continuing performance of individual departments under all conditions. It is the intent of the City government that continuity requirements be incorporated into daily operations of all departments and divisions. A comprehensive and integrated continuity capability will enable a more rapid and effective response to, and recovery from, an emergency.

This Continuity of Operations Plan is based on the assumption that the City may not receive warning of an impending emergency. As a result, a risk assessment was done to focus the planning process. This risk assessment is based on the 2015 City of Orting Hazard Identification and Risk Assessment (HIRA). The City's assessment was done for both its own facilities and in the selection of the individual alternate facilities. That assessment can be found in section 4.

Risk-specific appendices addressing the results of the City's risk assessment are found in the Hazard Specific Appendices.

D. PLANNING ASSUMPTIONS

This COOP is based on the following assumptions:

An emergency condition may require the relocation of staff to the alternate facility located at:

Fire District Station 43
14919 Orting-Kapowsin Hwy.
Pierce County, WA (Outside the City of Orting)

Third Alternate Facility:

Graham Fire District Station 94
23014 70th Avenue E, Graham, WA 98338

An emergency condition, drastically reducing staff may require the development of alternate staffing patterns to fulfill the City's essential functions.

- The Fire Station 43 will support staff and the continuation of the City's essential functions by available communications and information systems within 12 hours or less from the time the COOP is activated, for potentially up to a 30-day period or until normal operations can be resumed

E. OBJECTIVES

The City's continuity objectives are:

1. Reduce the loss of life and minimize property damage and loss
2. Ensure essential functions can be performed, if applicable, under all conditions.
3. Execute a successful order of succession with accompanying authorities in the event a disruption renders that organization's leadership unable, unavailable, or incapable of assuming and performing their authorities and responsibilities of office.
4. Reduce or mitigate disruptions to operations.

5. Ensure the City has facilities where it can continue to perform its essential functions, as appropriate, during a continuity event.
6. Protect essential facilities, equipment, records, and other assets, in the event of a disruption.
7. Achieve the organization's timely and orderly recovery and reconstitution from an emergency.
8. Ensure and validate continuity readiness through a dynamic and integrated continuity Test, Training, and Exercise (TT&E) program and operational capability.

F. SECURITY AND PRIVACY STATEMENT

This document is for official use only. Portions of this Plan contain information that raises personal privacy or other concerns, and those portions may be exempt from mandatory disclosure under the Freedom of Information Act (see 5 United States Code §552, 41 Code of Federal Regulations Part 105-60). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with City code and is not to be released to the public or other personnel who do not have a valid "need to know" without prior approval of the City Mayor.

The disclosure of information in this plan could endanger the lives and privacy of employees and could compromise the security of essential equipment, services, and systems of the City or otherwise impair its ability to carry out essential functions. Distribution of the COOP in whole or in part is limited to those personnel who need to know the information in order to successfully implement the plan.

The City's Emergency Management Director (EMD) will distribute copies of the COOP on a need to know basis. Copies of the plan, in a redacted form, may be distributed to other organizations as necessary to promote information sharing and facilitate a coordinated interagency continuity effort. Further distribution of the plan, in hardcopy or electronic form, is not allowed without approval from the City Mayor. Updated versions of the COOP will be distributed annually or as critical changes occur.

V. Concept of Operations

A. PHASE I: READINESS AND PREPAREDNESS

The City staff will participate in the full spectrum of readiness and preparedness activities to ensure its personnel can continue essential functions in an all-hazard/risk environment. Readiness activities are divided into two key areas:

- Organization readiness and preparedness
- Staff readiness and preparedness

Organization Readiness and Preparedness

The City's preparedness incorporates hazard/threat warning systems, which includes Pierce County's PCWARN, and lahar warning sirens.

Staff Readiness and Preparedness: The City's personnel must also prepare for a COOP event. Personnel should plan in advance what to do in an emergency and should develop a Family Support Plan to increase personal and family preparedness. Staff may use the sample Family Support Plan in Annex D or use the information and templates that are available at www.ready.gov. Staff needing additional assistance in creating a family support plan, should contact the City's Police Chief, Fire District 18's fire chief, HR, or the American Red Cross for further information.

1. Personnel who have the responsibility to implement the move to an alternate facility and initiate operations from there must maintain drive-away kits. They are responsible for carrying the kits to the alternate facility or pre-storing the kits at the alternate site. A typical drive-away kit should contain those items listed in the table below. In order to maintain currency of drive-away kits, the City has established procedures for updating the kits. These include that continuity staff bring their drive-away kits to all regular trainings.

Drive Away Kit

Drive Away Kit	
<ul style="list-style-type: none">• Identification and City charge cards<ul style="list-style-type: none">○ City identification card○ Drivers license○ Health insurance card○ City and Personal charge card• Communication equipment<ul style="list-style-type: none">○ City provided or Personal cell phone○ Handheld radios• Hand-carried vital records• Directions to alternate facility• Maps of surrounding area (Thomas Brothers or others) COOP• Flashlight	<ul style="list-style-type: none">• Business and personal contact numbers<ul style="list-style-type: none">○ Emergency phone numbers and addresses (relatives, medical doctor, pharmacist)• Toiletries• Bottled water and non-perishable food (i.e., granola, dried fruit, etc.)• Medical needs<ul style="list-style-type: none">○ Insurance information○ List of allergies/blood type○ Hearing aids and extra batteries○ Glasses and contact lenses○ Prescription drugs (30-day supply)○ Over-the-counter medications, dietary supplements

In addition, the City conducts the following continuity readiness and preparedness activities including: catastrophe table top exercises, orientation training, and all staff trainings.

B. PHASE II: ACTIVATION AND RELOCATION

To ensure the ability to attain operational capability at continuity sites and with minimal disruption to operations, the City has developed detailed activation and relocation plans, which are captured in the following sections.

Decision Process Matrix

Based on the type and severity of the emergency situation, the City’s COOP may be activated by one of the following methods:

- (1) The City’s Emergency Management Director (EMD) or his/her designated successor may initiate COOP activation for the entire City.
- (2) The City Mayor, or a designated successor, may initiate the COOP activation for the entire organization, based on an emergency directly impacting, or threat directed at, the organization.

The decision to activate the City’s COOP and corresponding actions to be taken are tailored for the situation, based upon projected or actual impact and severity and that may occur with or without warning. To support the decision-making process regarding plan activation, key organization personnel will use the decision matrix below to support that process.

Decision Matrix

Decision Matrix for COOP Implementation		
	Work Hours	Non-Work Hours
Event With Warning (e.g. flood, volcanic eruption, pandemic flu, wind storm)	<ul style="list-style-type: none"> • Will the threat impact the facility or larger geographic area? • Is the threat aimed at organization personnel? • Are employees unsafe remaining in the facility and/or area? • Is staffing potential adequate to maintain operations? 	<ul style="list-style-type: none"> • Will the threat impact the facility or larger geographic area? • Is the threat aimed at organization personnel? • Who should be notified of the threat? • Is it safe for employees to return to work the next day? • Is staffing potential adequate to maintain operations?
Event Without Warning (e.g. earthquake, IED, spontaneous lahar, etc.)	<ul style="list-style-type: none"> • Are facilities affected? • Are personnel affected? Have personnel safely evacuated or are they sheltering-in-place? • What are instructions from first responders? 	<ul style="list-style-type: none"> • Are facilities affected? • Have all non-normal hour working staff been accounted for? • What are instructions from first responders?

Decision Matrix for COOP Implementation		
	Work Hours	Non-Work Hours
	<ul style="list-style-type: none"> • Is staffing potential adequate to maintain operations? • How soon must the organization be operational? 	<ul style="list-style-type: none"> • Is staffing potential adequate to maintain operations? • How soon must the organization be operational?

As the decision authority, the Mayor and/or the EMD will be kept informed of the threat environment using all available means. Information may come from the Emergency Operations Center, first responders, the City website, local and national news organizations via both the internet and radio and television, and social media sources. He/she will evaluate all available information relating to:

- (1) The health and safety of personnel
- (2) Direction and guidance from the City Mayor
- (3) The ability to execute essential functions
- (4) Changes in readiness or advisory levels
- (5) Incident/Intelligence reports
- (6) The potential or actual effects on communication systems, information systems, office facilities, and other vital equipment
- (7) The expected duration of the emergency situation

Alert and Notification Procedures: The EOC maintains plans and procedures for communicating and coordinating activities with personnel before, during, and after a COOP event.

When there is knowledge of a possible, developing or imminent event, personnel will monitor advisory information. If normal operations are interrupted or an incident appears to be imminent, the EMD or designee will take the following steps to communicate the organization's operating status with all staff:

- (1) The EMD or designated successor will initiate the notification of staff of the need to activate the COOP
- (2) Personnel will notify family members, and/or emergency contacts of COOP activation

Upon the decision to activate the COOP, the EMD or designee will notify all staff, as well as affected and interdependent entities with information regarding continuity activation, relocation, operational and communication status, and the anticipated duration of activation and if necessary relocation. These entities include:

-
- Continuity facilities and on-site support teams with information regarding continuity activation and relocation status and the anticipated duration of relocation
 - All departments and employees, both essential and non-essential personnel with instructions and guidance regarding the continuity activation and relocation
 - The Pierce County EOC at 253-798-7470.
 - The City's Emergency Operations Center, the City Mayor and City Administrator, and other applicable departments, elements/entities with information regarding continuity activation and relocation status.

Relocation Process

Following activation of the plan and notification of personnel, the City may be required to move personnel and vital records to an alternate facility. If relocation is necessary, designated personnel will deploy to the assigned alternate facility to perform the City's essential functions and other continuity related tasks.

Emergency relocation procedures during duty hours, with or without a warning, are as follows:

- Continuity personnel, will move operations to the designated alternate facility.
- Other personnel present at the facilities to be evacuated to another location at the time of an emergency notification will receive instructions from Emergency Management Director. In most scenarios, other staff members will be directed to proceed to their homes or to other facilities to wait for further guidance.
- Information, if available, will be provided regarding safety precautions and routes to use when leaving the primary operating facility.

Emergency procedures during non-duty hours with or without a warning are as follows:

- Advance team members will deploy to their assigned alternate facility from their current location.
- Each continuity member will depart to his/her assigned alternate facility from his/her current location.

Non-continuity personnel may be required to replace or augment continuity personnel during activation. These activities will be coordinated by the Emergency Management Director or designee with the replacement staff on a case-by-case basis. Non-continuity personnel will remain available to replace or augment continuity personnel, as required.

Personnel who are not designated as continuity personnel will be directed to move to the alternate EOC or home until further notice.

In the event of an activation of the COOP, the EMD or designee may need to procure necessary personnel, equipment, and supplies that are not already in place for continuity operations on an emergency basis. The EMD maintains the authority for emergency procurement.

C. PHASE III: CONTINUITY OPERATIONS

Upon activation of the Continuity of Operations Plan, the City will continue to operate at its primary operating facility with available staff.

The City may be ordered to cease operations at its operating facilities. At that time, essential functions will transfer to the alternate facility. The City must ensure that the COOP can become operational within 12 hours of plan activation.

The advance team will arrive at the alternate facility first to prepare the site for the arrival of the continuity personnel. Upon arrival at the alternate facility, the advance team will:

- Ensure infrastructure systems, such as power and HVAC are functional
- Prepare check-in duty stations for continuity staff arrival
- Field telephone inquiries from staff

As continuity personnel arrive at the alternate facility, the EMD or their designee will conduct in-processing the staff to ensure accountability. In-processing procedures are conducted at the EOC or alternate EOC and will include:

Upon arrival at the alternate facility, the continuity personnel will:

- Report immediately to the EOC for check-in and in-processing
- Receive all applicable instructions and equipment
- Report to their respective workspace as identified in EOC Plan or as otherwise notified during the activation process
- Retrieve pre-positioned information and activate specialized systems or equipment
- Monitor the status of personnel and resources
- Continue City essential functions
- Prepare and disseminate instructions and reports, as required
- Comply with any additional continuity reporting requirements
- Notify family members, and emergency contacts of preferred contact methods and information
- Notify the Pierce County EOC of the City's current status

A significant requirement of continuity personnel is to account for all City personnel. The following processes will be used to account for all personnel:

- Call down telephone trees, and the City website

During continuity operations, the City may need to acquire necessary personnel, equipment, and supplies on an emergency basis to sustain operations for up to 30 days or until normal operations can be resumed. The EMD or their designee maintains the authority for emergency acquisition.

D. PHASE IV: RECONSTITUTION OPERATIONS

If the activation of the COOP is due to the need to relocate to an alternate facility then, within 24 hours of the emergency relocation, the following individuals will initiate and coordinate operations to salvage, restore, and recover those facilities that were relocated after receiving approval from the appropriate authorities:

- The EMD will serve as the Reconstitution Manager for all phases of the reconstitution process
- A reconstitution point-of-contact will be designated to work with the Reconstitution Team and to update office personnel on developments regarding reconstitution. The reconstitution point-of-contact will be Emergency Management Director and implemented within 24 hours of the COOP activation

During continuity operations, where an alternate facility is used, the status of the impacted facilities must be ascertained by The Public Works Director and/or the Building Official or their designee. Upon obtaining the status of the facilities that are out of service, the Public Works Director and/or the Building Official or their designee will determine how much time is needed to make the facilities operational again. This may involve reconnecting with infrastructure, repair the affected facility and/or acquiring a new facility. This determination is made in conjunction with the Mayor. Should the Mayor decide to repair the affected facility, the Public Works Director and/or the building Official has the responsibility of supervising the repair process and must notify the Mayor of the status of repairs, including estimates of when the repairs will be completed.

Reconstitution will commence when the EMD or other authorized person ascertains that the emergency situation has ended and is unlikely to reoccur. Once the appropriate authority, in coordination with other applicable authorities has made this determination, one or a combination of the following options may be implemented:

- Continue to operate from the alternate facility
- Reconstitute the City facilities and begin an orderly return to those facilities
- Begin to establish a reconstituted facilities in another facility, or develop a new, temporary or permanent, designated location

Before relocating to the evacuated facility or another facility, the Public Works Director and/or the Building Official will conduct appropriate security, safety, and health assessments to determine building suitability. In addition, the Public Works Director and/or the Building Official will verify that all systems, communications, and other required capabilities are available and operational and that the City is fully capable of accomplishing all essential functions and operations at the new or restored facility.

Upon a decision by the Mayor and/or the EMD or other authorized person that the evacuated facility can be reoccupied or that City will re-establish itself in a different facility:

The EMD or their designee must notify the relevant offices and organizations with updated information regarding continuity activation and relocation status, operational and communication status, and anticipated duration of relocation. The Emergency Management Director or their designee will develop space allocation and facility requirements

- The EMD or their designee will notify all personnel that the emergency or threat of emergency has passed and actions required of personnel in the reconstitution process using
- The EMD or their designee will coordinate with the Facilities Department and/or other applicable organizations to obtain office space for reconstitution, if the City facilities are uninhabitable
- The EMD or their designee will develop procedures, as necessary, for restructuring staff

Upon verification that the new or restored facility is available and operational and that the City is fully capable of accomplishing all essential functions and operations there, the EMD or their designee will begin supervising the movement of personnel, equipment, and documents to that facility. The phase-down and return of personnel, functions, and equipment will follow a priority-based plan developed for the incident.

The City will continue to operate at its alternate facility until notified that operations have been restored at either the original facility or another alternate. At that time, essential functions will transfer to the original or new facility. The EMD or their designee will develop resumption plans based on the incident and facility as soon as possible once the COOP has been activated.

The EMD will identify any records affected by the incident. In addition, the EMD or their designee will instruct the IT Consultant to transition or recover vital records and databases, as well as other records that had not been designated as vital records. The IT Consultant will begin development of specialized vital records transition and recovery plans based on the incident and facility within 24 hours of plan activation.

When the continuity personnel, equipment, and documents are in place at the new or restored operating facilities, the remaining City staff at the alternate facility or devolution site will transfer essential functions, cease operations, and deploy to the new or restored primary operating facility. The EMD or their designee shall oversee the orderly transition from the alternate facility of all City functions, personnel, equipment, and records to a new or restored primary operating facility. The City Treasurer is responsible for developing a process for receiving and processing employee claims during the COOP event, including processing human capital claims (including Workers' Compensation for injuries, overtime pay, etc) and replacing lost or broken equipment.

If the activation of the COOP is due to the loss of staff, the reconstitution process may be gradual as either staff return to work, current staff are reclassified taking up many of the positions that need support, or the hiring of new staff members for the City.

Regardless of the level of COOP activation or length of time the City is operating under the COOP, it will conduct an After Action Review (AAR) once it has returned to its normal facilities or established in a new operating facilities. The EMD or their designee has the responsibility for initiating and completing the AAR. All offices within City will have the opportunity to provide input to the AAR. This AAR will study the effectiveness of the COOP and procedures, identify areas for improvement, document these in the City's corrective action program (CAP), and then develop a remedial action plan as soon as possible after the reconstitution. The EMD or their designee has the responsibility for documenting areas for improvement in the CAP and developing a remedial action plan. In addition, the AAR will identify which, if any, records were affected by the incident, and will work to ensure an effective transition or recovery of vital records and databases and other records that had not been designated as vital records. AAR and CAP documentation are maintained by The City Clerk and are found at City Hall.

VI. Organization and Assignment of Responsibilities

Key staff positions within the City's COOP, include individual continuity members, those identified in the order of succession and delegation of authority, the EMD who functions as Continuity Coordinator, continuity managers, and others possess additional continuity responsibilities. The responsibilities of these key continuity personnel are delineated below.

Position	Responsibilities
Director (Emergency Management Director or Designee)	<ul style="list-style-type: none"> • Provide strategic leadership and overarching policy direction for the continuity program • Implement the COOP when necessary, or when directed by a higher authority • Update and promulgate orders of succession and delegations of authority • Ensure adequate funding is available for emergency operations • Ensure all organization components participate in continuity exercises • Update Continuity Plan annually or after an incident, or when needed by staff or other changes
Communications Manager (City Clerk)	<ul style="list-style-type: none"> • Update telephone rosters quarterly or when there are staff changes • Conduct alert and notification tests
Records Manager (City Clerk)	<ul style="list-style-type: none"> • Review status of vital records, files, and databases
Training Manager (Finance Director))	<ul style="list-style-type: none"> • Develop and lead Continuity training • Plan Continuity exercises
Continuity Personnel (Police Chief, City Treasurer, Court Administrator, Parks and Rec Director, Public Works Director, City Clerk)	<ul style="list-style-type: none"> • Be prepared to deploy and support organization essential functions in the event of COOP implementation • Provide current contact information to manager • Be familiar with the COOP and understand individual roles and responsibilities in the event it is activated • Participate in continuity training and exercises as directed • Have a telework agreement for this position, if applicable.

VII. Direction, Control, and Coordination

During an activation of the COOP, the EMD maintains responsibility for direction and control of the City's emergency response. Should the EMD become unavailable or incapacitated; the organization will follow the directions laid out in the "*Orders of Succession and Delegations of Authority*" annexes.

VIII. Disaster Intelligence

During a COOP event, the EMD will require the collection and dissemination of critical information. While specific incidents may cause additional or specialized reporting requirements, the following table lists examples of the information that would be collected and reported regardless of incident type.

Information Element	Specific Requirement	Responsible Element	Deliverables	When Needed	Distribution
Personnel Accountability	Account for all employees Account for all contract personnel	Human Resources Division	Reports Briefings	Status updates hourly following Plan activation , later as necessary	Emergency Management Director, EOC Planning Team, City Mayor
Operational Status	If Alternate Site is used have the Personnel arrived at site Ability to conduct each essential function	Continuity Managers	Situation briefings Situation reports	No later than 6 hours after plan activation, then hourly until situation has stabilized then as necessary	Emergency Management Director, City Administrator, Mayor
Hazard Information	Threat details specific to the individual facilities including the continuity facility(ies)	Response coordination center or emergency operations center	Situation briefings Situation reports	Two times per day at shift change or as the situation changes	EOC staff, Emergency Management Director, City Administrator, Mayor

IX. Communications

The City has identified available and redundant critical communications systems that are located at the primary operating facilities and at the alternate facility. Further, the City maintains fully capable continuity communications that support organization needs during all hazards/threats, to include pandemic and other related emergencies as described in the Pierce County/City HIRA, and gives full consideration to supporting social distancing operations including telework and other virtual offices.

All necessary and required communications and IT capabilities should be operational within 12 hours of continuity activation.

X. Plan Development and Maintenance

The EMD is responsible for maintaining the city's Continuity of Operations Plan.

This COOP, essential functions, and supporting activities, will be reviewed by the City's Management Team and updated annually from the date of publication as part of the annual maintenance of COOPs and procedures. The EMD is responsible for the annual plan review and update. In addition, the plan will be updated or modified when there are significant organizational or procedural changes or other events that impact continuity processes or procedures. Comments or suggestions for improving this plan may be provided to the Emergency Management Director at any time.

XI. Authorities and References

FUNCTIONAL ANNEXES

I. Essential Functions Annex

A. IDENTIFICATION OF ESSENTIAL FUNCTIONS

The City has completed the MEF process to identify those functions that the City must continue.

City Essential Functions

The City's MEFs are based on its mission and role in support of the continued performance of Pierce City essential functions. These essential functions, as listed below, represent responsibilities of City government leaders to ensure the well-being of the community.

City Essential Functions
Essential function 1: Maintain Continuity of Government. Focus: Ensure the continued functioning of critical government leadership elements, including: succession to key offices; organizational communications; leadership and management operations; situational awareness; personnel accountability; and functional and judicial organizations (as necessary).
Essential function 2: Provide Visible Leadership. Focus: Visible demonstration of leaders effectively dealing with the crisis and leading the response efforts; this assists in providing and monitoring the threat and confidence of established government organizations and the public.
Essential function 3: Maintain Effective relationships with neighbors and partners. Focus: maintain external relationships and agreements with a wide variety of entities; this may vary considerably across various departments in the City and their outside partners. This includes communication and interactions, as necessary during a crisis, with critical partners and organizations, including the Federal Government; state, tribal, other counties, cities and towns, independent agencies, utilities and other types of districts, non-profit organizations, and private sector entities.
Essential function 4: Maintain Law & Order. Focus: Maintain civil order and public safety (protecting people and property, and the rule of law): ensuring basic civil rights, preventing crime, and protecting critical infrastructure. This involves local, state, tribal and federal law enforcement.
Essential function 5: Provide Emergency Services. Focus: Provide critical emergency services, including emergency management, police, fire, ambulance, medical, search and rescue, hazmat, shelters, emergency food services, recovery operations, etc.
Essential function 6: Maintain Economic Stability. Focus: Manage the overall economy of the City government. The City is responsible for managing its finances and ensuring solvency.

Essential function 7: Provide Basic Essential Services. Focus: Ensure provision of basic services, including water, power, health care, communications, transportation services, sanitation services, environmental protection, commerce, etc. These are services that must continue or be restored quickly to provide for basic needs. Other less critical services (recreation, education) may be delayed or deferred.

Mission Essential Functions

Upon identifying all government functions, the City identified those functions that are MEFs. Mission Essential Functions are a limited set of department functions that must be continued throughout, or resumed rapidly after, a disruption of normal activities. The City implemented the MEF identification process to identify and prioritize their organizational MEFs. The City's MEFs, as validated and approved by the City Council and Mayor are listed below in priority order.

- 1. City Government: Mayor, City Council, City Administrator.**
- 2. City Police Department.**
- 3. Public Works Department.**
- 4. City Finance Department.**
- 5. City Court.**
- 6. City Administration and records.**

A. IDENTIFICATION OF CONTINUITY PERSONNEL

In order to continue its mission essential functions, the City has determined the staff positions necessary to relocate under COOP activation. A copy of the current roster is found on line and in the Finance Department. The City Clerk is responsible for maintaining roster currency and ensuring personnel are matched against needed positions.

Each continuity member is selected by the EMD based upon:

- The predetermined essential functions that must be performed, regardless of the operational status of the primary operating facility
- The member's knowledge and expertise in performing these essential functions
- The member's ability to rapidly deploy to the alternate facility if necessary in an emergency situation

Continuity Personnel Roster.

Function #1:	<i>Title/Position</i>	<i>Name</i>	<i>Phone numbers</i>
Respond to Catastrophic Hazards including Lahar, earthquake and flood	Emergency Management Director/Public Safety (Police Chief)	Chris Gard	Cell: 253.377.4429
	Alternate: City Administrator/Administration & Government Continuity	Mark Bethune	Cell: 253.405.3848
	Operations/Public Works Continuity: Public Works Director	Greg Reed	Cell: 253.348.0126
	Alternate: Public Works Supervisor	Mark Barfield	253.405.8100
	Finance/City Treasurer Financial Records Continuity	Scott Larson	253.355.5166
	Alternate: Senior Accountant	Freda Bingham	253.324.4564
	EOC Planning and Court Continuity	<i>Kaaren Woods</i>	253.376.9182
	Alternate: Court Clerk	<i>Kim Kainoa</i>	253.
Public Records Continuity and Communications – City Clerk	Jane Montgomery	253.329.4155	
Alternate: Parks and Rec Director	Beckie Meek	253.426.2634	

	Facility Inspection and Continuity – Building Official	Tim Lincoln	253.208.5281

II. Vital Records Management Annex

“Vital records” refers to information systems and applications, electronic and hardcopy documents, references, and records, to include classified or sensitive data, needed to support MEFs during a COOP event. The City has incorporated its vital records program into the overall continuity program, plans, and procedures.

The City’s vital records program incorporates into the overall COOP with a clear authority to include:

- Policies
- Authorities
- Procedures
- Public Records
- Financial Records
- The written designation of the City Clerk, vital records manager

Identifying official vital records program:

- Identifies and protects those records that specify how an organization will operate in an emergency or disaster
- Identifies those records necessary to the organization’s continuing operations
- Identifies those records needed to protect the legal and financial rights of the Government and citizens

As soon as possible after activation of the COOP, but in all cases within 12 hours of activation including when the alternative facility is activated, continuity personnel should have access to the appropriate media for accessing vital records, including:

- A local area network
- Electronic versions of vital records
- Supporting information systems and data
- Internal and external e-mail and e-mail archives
- Hard copies of vital records

Identifying Vital Records

The City Clerk and the City Treasurer have identified the following as vital to its operations, and has assigned responsibility for those records to themselves as well as support staff, which includes a combination of continuity personnel, personnel in the Finance office and the City Clerk’s records management personnel.

The City maintains a complete inventory of vital records, along with the locations of and instructions on accessing those records. These records are located at City Hall and the

Public Safety Building. All data base information including customer information and finances are maintained by internet backup systems. This inventory will be maintained on the internet that is accessible by the City Treasurer and the City Clerk to ensure continuity if the primary site is damaged, destroyed, or unavailable.

The City Clerk, the City Treasurer and the Police department, in coordination with the IT Consultant, have developed and maintain a vital records plan packet or collection located at City Hall, the Public Safety Building and on the internet servers. The packet or collection includes:

- A hard copy or electronic list of the City's key organization personnel and continuity personnel with up-to-date telephone numbers
- A vital records inventory with the precise locations of vital records.
- Updates to the vital records
- Necessary keys or access codes
- Listing of the access requirements and sources of equipment necessary to access the records
- Alternate facility locations
- Lists of records recovery experts and vendors provided by the City's IT Consultant.
- A copy of the City's COOP

For the above items, the City Clerk is responsible for providing access requirements and lists of sources of equipment necessary to access the records.

This packet will be annually reviewed by the City Clerk with the date and names of the personnel conducting the review documented in writing to ensure that the information is current.

Protecting Vital Records

The protection of vital records is essential to ensuring the records are available during a COOP event, thus enabling agencies to conduct MEFs. The City Clerk and the City Treasurer have conducted a vital records and database risk assessment to:

- Identify the risks involved if vital records are retained in their current locations and media, and the difficulty of reconstituting those records if they are destroyed
- Identify offsite storage locations and requirements
- Determine if alternative storage media is available
- Determine requirements to duplicate records and provide alternate storage locations to provide readily available vital records under all conditions

The vital records and database risk assessment was performed by the City Finance Department and the City Clerk.

Appropriate protections for vital records will be provided by the City Clerk and will include dispersing those records to other agency locations or storing those records offsite.

When determining and selecting protection methods, the City Clerk takes into account the special protections needed by different kinds of storage media. Microforms, paper photographs, and computer disks, tapes, and drives, all require different methods of protection. Some of these media may also require equipment to facilitate access.

Training and Maintenance

The City's vital records program includes a training program conducted by the City Clerk for all staff, to include periodic briefings to managers about the vital records program and its relationship to their vital records and business needs. City staff training focuses on identifying, inventorying, protecting, storing, accessing, and updating the vital records. Training records for vital records are maintained by the City Finance Department.

The City's vital records program includes an annual review of the program to address new security issues, identify problem areas, update information, and incorporate any additional vital records generated by new agency programs or functions or by organizational changes to existing programs or functions. The review is conducted by the Finance Department and the City Clerk. The review provides an opportunity to familiarize staff with all aspects of the vital records program. It is appropriate to conduct a review of the vital records program in conjunction with City continuity exercises. Documents confirming review of the vital records program are maintained by the City Clerk. At a minimum, the City's vital records are annually reviewed, rotated, or cycled so that the latest versions will be available.

The City conducts annual testing of the capabilities for protecting classified and unclassified vital records and for providing access to them from the alternate facility.

Vital File, Record, or Database	Support to Essential Function	Form of Record (e.g., hardcopy, electronic)	Pre-positioned at Alternate facility	Hand Carried to Alternate facility	Multiple Storage Location(s) Y/N	Maintenance Frequency
Ordinances, Resolutions, Minutes, Council Packets	Function # 1	Electronic/hard copy	Out of State Server	None	Yes, State Archives and out of state electronic	Ongoing
GIS Mapping Database	Function #1	Electronic	Y	N	Y	Quarterly
List of Licensed Spill Cleanup Contractors	Function #1	Hardcopy	Y	N	N	Quarterly
Chemical Tier II Database	Function #1	Electronic	Y	N	N	Annually
Water Plant Operation & Maintenance records	Function #1	Electronic	Y	N	Y	Annually
WWTP reports (older)	Function #1	Electronic	Y	N	Y	Annually
Drinking water monitoring & testing	Function #1	Electronic	Y	N	Y	Annually
As-builts & plat maps	Function #1	Electronic hard copy	Some	Y/N	Y/N	Annually
Side sewer as-builts	Function #1	Electronic	N	Y	N	Annually
Cemetery Layout and Records	Function #1	Electronic	Y	N	Y	Annually
Annual reports to WSDOE, WSDOH, WSDOT, PCDOH	Function #1	Electronic	Y	N	Y	Annually
Public and Private Sewage System Records	Function #1	Electronic	X		Y	Quarterly

Wastewater Plant Operation & Maintenance records

As-builts & plat maps

Side sewer as-builts

Equipment Service manuals Cemetery Layout

Annual reports to WSDOE, WSDOH, WSDOT, PCDOH are recorded with these agencies yearly.

WWTP reports

III. Alternate Facilities Annex

Alternate facility Information

The City has designated alternate facilities as part of its continuity of operations plan and has prepared personnel for the possibility of unannounced relocation to the site(s) to continue essential functions. The City reevaluates its continuity facilities at least annually and whenever the COOPs are reviewed and updated.

The City Clerk maintains Memorandums of Agreement (MOA)/Memorandums of Understanding (MOU) and reviews the MOUs annually, as applicable.

An MOU is necessary because the City of Orting has multiple jurisdictions within city limits that must coordinate their assets to best respond to hazards

The City's primary alternate facility is located at Fire District 18 station 43 at 19503 150th Ave. E., Orting WA . Additional facility details are as follows:

- 1) This facility is owned by Pierce County's Fire District 18

The City's alternate facilities provide the following in sufficient quantities to sustain operations for up to 30 days or until normal business activities can be resumed:

- (1) Sufficient space and equipment, including computer equipment and software. The alternate facility is able to accommodate 20 personnel.
- (2) Capability to perform MEFs within 12 hours of plan activation or an event, respectively, for up to 30 days or until normal operations can be resumed.
- (3) Reliable logistical support, services, and infrastructure systems. Consideration for health, safety, security, and emotional well-being of personnel. Considerations available at the alternate site include restrooms, cooking facilities, first responders with medical ability
- (4) Interoperable communications for effective interaction.
- (5) Capabilities to access and use vital records.
- (6) Systems and configurations that are used in daily activities. IT support at the alternate facility is "Popular Networks" the City's IT contractor
- (7) Emergency/back-up power capability.

Alternate facility Logistics

The City's alternate facility maintains activation plans in order to achieve full operational capability within 12 hours of notification.

The City maintains a transportation support plan that describes procedures for both warning and no-warning events.

- During a no-warning event, advance team and continuity personnel walk or take their own vehicle or city vehicle to the alternate facility. If the hazard is a lahar Admin staff walk to the County Rock Quarry and are then transported to Station 43 by police, fire, and/or public works staff. Public Works staff attempt to take city vehicles to the station. If traffic is stalled they will walk to the rock quarry as well and wait for transportation from police and county fire staff.
- During a with-warning event, advance team and continuity personnel transport themselves with private or city vehicles. The City has addressed the need for housing to support continuity personnel on-site at the alternate facility.

Alternate facility Orientation

The City regularly familiarizes its personnel with its alternate facilities. The City accomplishes this orientation through table top emergency exercises. Further, the City annually trains and prepares its personnel for the possibility of an unannounced relocation to all continuity facilities. This training is reflected in organization training records located the Finance Department at City Hall.

IV. Continuity Communications Annex

The City has identified available and redundant critical communication systems that are located at the alternate facility. Further, the city police department and the County Fire District maintain fully capable continuity communications that could support organization needs during all hazardous incidents or threats, to include pandemic and other related emergencies, and give full consideration to supporting social distancing operations including telework and other virtual offices. These systems provide the ability to communicate within and outside the organization.

Communication System	Support to Essential Function	Current Provider	Specification	Alternate Provider	Special Notes
Non-secure Phones	Yes	Mitel	NA	NA	NA
Secure Phones	Yes	Verizon	NA	NA	NA
Fax Lines	Yes	Century-Tel	NA	NA	NA
Cellular Phones	Yes	Verizon	NA	NA	NA
E-mail	Yes	Mitel	NA	NA	NA
Internet Access	Yes	Verizon	NA	NA	NA

Communication System	Support to Essential Function	Current Provider	Specification	Alternate Provider	Special Notes
Data Lines	Yes	Century-Tel	NA	NA	NA
Two-way Radios	Yes	NA	NA	NA	NA

All necessary and required communications and IT capabilities should be operational as soon as possible following COOP activation, and in all cases, within 12 hours of activation.

The City possesses communications capabilities to support the organization’s senior leadership while they are in transit to alternate facilities. These capabilities are maintained by individual staff members and radios are maintained by the police department

V. Leadership and Staff Annex

A. ORDERS OF SUCCESSION

Pre-identifying orders of succession is critical to ensuring effective leadership during an emergency. In the event an incumbent is incapable or unavailable to fulfill essential duties, successors have been identified to ensure there is no lapse in essential decision making authority. The City has identified successors for the positions of Mayor, City Administrator, Police Chief, Public Works Director, City Treasurer, City Clerk, and Court Administrator. A copy of these orders of succession is in the city’s data base.. The EMD is responsible for ensuring orders of succession are up-to-date. When changes occur, The EMD distributes the changes to all staff.

The City’s orders of succession are:

Table V.1

Mayor	<ol style="list-style-type: none"> 1. Deputy Mayor 2. City Administrator
City Administrator	<ol style="list-style-type: none"> 1. City Treasurer 2. Public Works Director
Police Chief	Lieutenants (2)

City Treasurer	<ol style="list-style-type: none"> 1. City Administrator 2. Senior Accountant
Public Works Director	<ol style="list-style-type: none"> 1. Public Works Supervisor 2. Water Plant Supervisor
City Clerk	<ol style="list-style-type: none"> 1. City Administrator 2. Parks and Recreation Director
Court Administrator	<ol style="list-style-type: none"> 1. Court Clerk 2. Judge

In the event of a change in leadership status, City Administration must notify the successors, as well as city staff and city councilmembers. In the event the City leadership becomes unreachable or incapable of performing their authorized legal duties, roles, and responsibilities, the City Administration will initiate a notification of the next successor in line. .

City training records document the conduct of annual successor training for all personnel who assume the authority and responsibility of the organization’s leadership to include briefing successors to the individual positions on their responsibilities and duties as a successor.

B. DELEGATIONS OF AUTHORITY

Generally, the City pre-determined delegations of authority will take effect when normal channels of direction are disrupted and terminate when these channels have resumed.

The City has identified the following delegations of authority:

- Orderly succession of officials to the position of Mayor/Administrator/Director in the case of the Mayor/Administrator/Director’s absence, a vacancy at that office, or the inability of the Mayor/Director/Administrator to act during an emergency or national security emergency. The delegation of authority for Mayor/Director/Administrator is found in the Hazard Specific Appendices.

The City’s delegation of authority is found at the alternate facility and at City Hall and:

- (1) Are included as vital records
- (2) Are written in accordance with applicable laws ensuring that the organization’s MEFs are performed
- (3) Outline explicitly in a statement the authority of an official to re-delegate functions and activities, as appropriate
- (4) Delineate the limits of and any exceptions to the authority and accountability for officials
- (5) Define the circumstances, to include a devolution situation if applicable, under which delegations of authorities would take effect and would be terminated.

The City has informed those officials who might be expected to assume authorities during a continuity situation. Further, those officials who might be expected to assume

authorities during a continuity situation have received training at least annually for all pre-delegated authorities for making policy determinations at all levels. This training is reflected in agency training records located at City Finance Department.

C. HUMAN CAPITAL

Continuity Personnel

People are critical to the operations of any organization. Choosing the right people for an organization's staff is vitally important, and this is especially true in a crisis situation. Leaders are needed to set priorities and keep focus. During a COOP event, emergency employees and other special categories of employees will be activated by the City to perform assigned response duties. One of these categories is continuity personnel. In respect to these continuity personnel, the City has:

- Identified and designated those positions and personnel they judge to be critical to organization operations in any given emergency situation as continuity personnel. A roster of these positions is maintained by the EMD and is found at City Hall, the Police Department and in the city data base.
- Identified and documented its continuity personnel. These personnel possess the skill sets necessary to perform essential functions and supporting tasks. A roster of these personnel is maintained by EMD and is found at the Police Department, City Hall, and in the City data base.
- Officially informed all continuity personnel of their roles or designations by providing documentation to ensure that continuity personnel know and accept their roles and responsibilities. Copies of this documentation is maintained by the EMD and is found at the city police department, City Hall, and the city data base.
- Ensured continuity personnel participate in their organization's continuity Test, Training, and Exercise (TT&E) program, as reflected in training records. Training records are maintained by the City Finance Department and the City Clerk.
- Provided guidance to continuity personnel on individual preparedness measures they should take to ensure response to a COOP event.

All Staff

It is important that the City keep all staff, especially individuals not identified as continuity personnel, informed and accounted for during a COOP event. The City has established procedures for contacting and accounting for employees in the event of an emergency, including operating status.

- City employees are expected to remain in contact with department leaders and/or the EOC during any facility closure, relocation situation, or staff limiting situation.
- The City ensures staff is aware of and familiar with human capital guidance in order to continue essential functions during an emergency. Accounting for all personnel during a COOP event is of utmost importance. An event that requires

the activation of the COOP may personally affect all staff. Therefore, the City has the responsibility to create provisions and procedures to assist all staff, especially those who are disaster victims, with special human capital concerns following a catastrophic disaster.

- **Human Capital Considerations**

The City continuity program, plans, and procedures incorporate existing agency-specific guidance and direction for human capital management, including guidance on pay, leave, work scheduling, benefits, telework, hiring, authorities, and flexibilities. The City Treasurer has the responsibility for human capital issues. A copy of these policies and guidance is found in the city policy and procedure manual and Collective Bargaining Agreements.

The City's EMD works closely with the City Treasurer to resolve human capital issues related to a COOP event. The City Treasurer serves as the human capital liaison to work with the EMD when developing or updating the organization's emergency plans.

The City has developed organization-specific guidance and direction for continuity personnel on human capital issues. This guidance is integrated with human capital procedures for its facility, geographic region, and the Human Resources Department. The City has issued continuity guidance for human capital on the following issues found primarily in the City Policy and Procedure Manual and in the Collective Bargaining Agreements :

- Additional Staffing:
- Work Schedules and Leave/Time Off:
- Employee Assistance Program
- Special Needs Employees
- Telework
- Benefits
- Premium and Annual Pay Limitations:

Further, the City Treasurer communicates human capital guidance for emergencies (pay, leave, staffing, work scheduling, benefits, telework, hiring authorities and other human resources flexibilities) to managers in an effort to help continue essential functions during an emergency.

VI. Test, Training, and Exercises Program Annex

The City has established an effective TT&E program to support the organization's preparedness and validate the continuity capabilities program, and the ability to perform essential functions during any emergency. The testing, training, and exercising

of COOP capabilities is essential to demonstrating, assessing, and improving the City's ability to execute the continuity program, plans, and procedures.

The City performs TT&E events at regular intervals, throughout the year as depicted in the following table.

Continuity TT&E Requirements	Monthly	Quarterly	Annually	As Required
Test and validate equipment to ensure internal and external interoperability and viability of communications systems		✓		
Test alert, notification, and activation procedures for all continuity personnel			✓	
Test primary and backup infrastructure systems and services at alternate facilities			✓	
Test capabilities to perform essential functions			✓	
Test plans for recovering vital records, critical information systems, services, and data			✓	
Test and exercise of required physical security capabilities at continuity facilities			✓	
Test internal and external interdependencies with respect to performance of essential functions			✓	
Train continuity personnel on roles and responsibilities			✓	
Conduct continuity awareness briefings or orientation for the entire workforce			✓	
Train organization's leadership on essential functions			✓	
Train personnel on all reconstitution plans and procedures			✓	
Allow opportunity for continuity personnel to demonstrate familiarity with COOPs and procedures and demonstrate organization's capability to continue essential functions			✓	
Conduct exercise that incorporates the deliberate and preplanned movement of continuity personnel to alternate facility(ies)			✓	
Conduct assessment of organization's continuity TT&E programs and COOPs and programs			✓	
Report findings of all annual assessments to the [Insert office/position title]			✓	
Conduct successor training for all organization personnel who assume the authority and responsibility of the organization's leadership if that leadership is incapacitated or becomes otherwise unavailable during a continuity situation			✓	
Train on the identification, protection, and ready availability of electronic and hardcopy documents, references, records, information systems, and data management software and equipment needed to support essential functions during a COOP situation for all staff involved in the vital records program			✓	

Continuity TT&E Requirements	Monthly	Quarterly	Annually	As Required
Test capabilities for protecting classified and unclassified vital records and for providing access to them from the alternate facility			✓	
Train on an organization's devolution option for continuity, addressing how the organization will identify and conduct its essential functions in the aftermath of a catastrophic emergency or during an increased threat situation			✓	
Conduct personnel briefings on COOPs that involve using or relocating to alternate facilities, existing facilities, or virtual offices				✓
Allow opportunity to demonstrate intra- and interagency continuity communications capability				✓
Allow opportunity to demonstrate that backup data and records required for supporting essential functions at alternate facilities are sufficient, complete, and current				✓
Allow opportunity for continuity personnel to demonstrate their familiarity with the reconstitution procedures to transition from a continuity environment to normal activities				✓
Allow opportunity for personnel to demonstrate their familiarity with agency devolution procedures				✓

The City formally documents and reports all conducted continuity TT&E events, including documenting the date and type of event, and names of participants. Documentation also includes test results, feedback forms, participant questionnaires, and any other documents resulting from the event. Continuity TT&E documentation is managed by the EMD. Further, the EMD conducts a comprehensive debriefing or hot wash after each exercise, which allows participants to identify systemic weaknesses in plans and procedures and recommend revisions to the COOP.

Name of Event:	Type and Purpose of Event:	Date:	Initials or Signature
Participants	Office	Phone/Email	

The City has developed a Corrective Action Program (CAP) to assist in documenting, prioritizing, and resourcing continuity issues identified during continuity TT&E activities, assessments, and emergency operations. The CAP incorporates evaluations, after-

action reports, and lessons learned from a cycle of events into the development and implementation of its CAP. The CAP is maintained by EMD

Corrective Action Program

Capability	Observation Title	Recommendation	Corrective Action	Capability Element	Responsible Agency	Agency POC	Start Date	End Date

HAZARD-SPECIFIC APPENDICES

ANNEX IMPLEMENTING INSTRUCTIONS

- Operational Checklists

Sample operational checklists may include:

- Emergency Calling Directory
- Emergency Relocation Team Checklist and Essential Functions Checklist
- Continuity Site Acquisition Checklist
- Emergency Operating Records and IT Checklist
- Emergency Equipment Checklist
- Delegations of Authority
- Orders of Succession

Annex Implementing Instruction #1: Delegation of Authority

Issue Date:

DELEGATION OF AUTHORITY AND SUCCESSION FOR THE THE CITY GOVERNMENT AND DEPARTMENTS

PURPOSE

This is a delegation of authority for the continuity of essential functions through the orderly succession of officials at the City in case of Mayoral or department head absence, a vacancy at that office, or the inability of the individual to act during a disaster or national security emergency.

DELEGATION

I hereby delegate authority to the following officials, in the order listed below, to exercise the powers and perform the duties of the **Mayor, and/or department heads**, in case of absence, inability to perform, or vacancy of the office, and until that condition ceases.

1. **Mayor**

If this position is vacant, the next designated official in the order of succession may exercise all the powers, duties, authorities, rights, and functions of the Office of the, but may not perform any function or duty required to be performed exclusively by the office holder.

Eligibility for succession to the Office of the Mayor shall be limited to officially assigned incumbents of the positions listed in the order of succession, above . Only officials specifically designed in the approved order of succession are eligible. Persons appointed on an acting basis, or on some other temporary basis, are ineligible to serve as a successor; therefore, the order of succession would fall to the next designated official in the approved order of succession.

ANNEX A. GLOSSARY

A glossary should contain a list of key words and phrases used throughout the COOP and within the continuity of operations community. Each key word and phrase should be clearly defined. The following are definitions of key terms that may be used in your COOP.

Activation – Once a continuity of operations plan has been implemented, whether in whole or in part, it is considered “activated.”

Advance Team – Staff members assigned to report to the alternate facility first and prepare it to receive operational staff for full activation when needed in a COOP situation.

All-hazards – The spectrum of all types of hazards, both natural and human caused. This includes but is not limited to accidents, technological events, terrorist attacks, warfare, and chemical, biological including pandemic influenza, radiological, nuclear, or explosive events, and natural disasters including earthquakes, floods, destructive storms and volcanic incidents. For additional information see the Pierce County HIRA.

Alternate facilities – (also called continuity facilities) Locations, other than the primary facility, used to carry out essential functions, particularly in a COOP event. “Alternate facilities” refers to not only other locations, but also nontraditional options such as working at home (“teleworking”), telecommuting, and mobile-office concepts.

Business impact analysis (BIA) – A method of identifying the effects of failing to perform a function or requirement.

Business process analysis (BPA) – A method of examining, identifying, and mapping the functional processes, workflows, activities, personnel expertise, systems, data, and facilities inherent in the execution of a function or requirement.

Communications – Voice, video, and data capabilities that enable the leadership and staff to conduct the mission essential functions of the organization. Robust communications help ensure that the leadership receives coordinated, integrated policy and operational advice and recommendations and will provide the ability for governments and the private sector to communicate internally and with other entities (including with Federal agencies, State, local, territorial, and tribal governments, and the private sector) as necessary to perform their Mission Essential Functions (MEFs).

Continuity – An uninterrupted ability to provide services and support, while maintaining organizational viability, before, during, and after an event.

Continuity of Operations– An effort within individual agencies to ensure they can continue to perform their Mission Essential Functions (MEFs) during a wide range of

emergencies, including acts of nature, accidents, and technological or attack-related emergencies.

COOP event – Any event that 1. Causes an agency to relocate its operations to an alternate or other continuity site to assure continuance of its essential functions, or 2. due to a lack of operational staff must revise its operations to focus on only its MEFs.

Continuity personnel - Those critical personnel, both senior and core, who provide the leadership advice, recommendations, and functional support necessary to continue essential operations.

Corrective action program (CAP) – An organized method to document and track improvement actions for a program. The CAP System is a web-based tool that enables Federal, State, and local emergency response and homeland security officials to develop, prioritize, track, and analyze corrective actions following exercises or real world incidents. Users may enter data from a finalized After Action Report/Improvement Plan, track the progress of corrective action implementation, and analyze and report on trends in improvement plans.

Delegation of authority – Identification, by position, of the authorities for making policy determinations and decisions at headquarters, field levels, and all other organizational locations. Generally, pre-determined delegations of authority will take effect when normal channels of direction have been disrupted and will lapse when these channels have been reestablished.

Department head – The highest-ranking official of the primary occupant agency, or a successor or designee who has been selected by that official.

Devolution – The capability to transfer statutory authority and responsibility for essential functions from an agency's primary operating staff and facilities to other agency employees and facilities, and to sustain that operational capability for an extended period.

Drive-away kit – A kit prepared by, and for, an individual who expects to deploy to an alternate location during an emergency. The kit contains items needed to minimally satisfy an individual's personal and professional needs during deployment.

Essential functions – The critical activities performed by organizations, especially after a disruption of normal activities. There are three categories of essential functions: National Essential Functions (NEFs), Primary Mission Essential Functions (PMEFs), and Mission Essential Functions (MEFs).

Facilities – Locations where an organization's leadership and staff operate. Leadership and staff may be co-located in one facility or dispersed across many locations and connected by communications systems. Facilities must be able to provide staff with survivable protection and must enable continued and enduring operations.

Interoperable communications – Communications that provide the capability to perform essential functions, in conjunction with other agencies, under all conditions.

Leadership – The senior decision makers who have been elected (e.g., the County Executive or Sheriff) or designated (includes most Pierce County Department Directors) to head a branch of Government or other organization.

Memorandum of Agreement/Memorandum of Understanding (MOA/MOU) – Written agreements between departments/agencies that require specific goods or services to be furnished or tasks to be accomplished by one agency in support of the other.

Mission Essential Functions (MEFs) – The limited set of agency-level government functions that must be continued throughout, or resumed rapidly after, a disruption of normal activities.

Orders of succession – Provisions for the assumption by individuals of senior agency office leadership positions during an emergency in the event that any of those officials are unavailable to execute their legal duties.

Primary operating facility – The site of an organization’s normal, day-to-day operations; the location where the employee usually goes to work.

Reconstitution – The process by which surviving and/or replacement agency personnel resume normal agency operations from the original or replacement primary operating facility.

Recovery – The implementation of prioritized actions required to return an organization’s processes and support functions to operational stability following an interruption or disaster.

Risk management – The process of identifying, controlling, and minimizing the impact of events whose consequences are or may be unknown, or events that are themselves fraught with uncertainty.

Telework – The ability to work at a location other than the official duty station to perform work or emergency duties. This may include, but is not limited to, using portable computers, personal computers, high-speed telecommunications links, and mobile communications devices.

Testing, training, and exercises (TT&E) – Measures to ensure that an agency’s COOP is capable of supporting the continued execution of the agency’s essential functions throughout the duration of a continuity situation.

Virtual offices – An environment where employees are not collocated and rely exclusively on information technologies to interact and conduct their work across distance from multiple geographic locations.

Vital records – Electronic and hardcopy documents, references, and records that are needed to support essential functions during a continuity situation. The two basic categories of vital records are (1) emergency operating records and (2) rights and interests records.

ANNEX B. AUTHORITIES AND REFERENCES

The following are the authorities and references for this template.

AUTHORITIES & REFERENCES:

- 1) Directive 51/Homeland Security Presidential Directive 20, *National Continuity Policy*, dated May 9, 2007
- 2) Continuity Guidance Circular 1, *Continuity Guidance for Non-Federal Entities (States, Territories, Tribal, and Local Government Jurisdictions and Private Sector Organizations)*, dated January 21, 2009
- 3) Continuity Guidance Circular 2, *Continuity Guidance for Non-Federal Entities: Mission Essential Function Identification Process (States, Territories, Tribal, and Local Government Jurisdictions)*, dated July 22, 2010.
- 4) *Continuity Plan Template and Instructions for Non-Federal Entities*, dated January 25, 2011.
- 5) Comprehensive Preparedness Guide 101, *Developing and Maintaining State, Territorial, Tribal, and Local Government Emergency Plans*, dated March 2009.

ANNEX C. ACRONYMS

This list should include acronyms used throughout the COOP and within the continuity of operations community. The following are acronyms used in this template.

AAR	After Action Report
BIA	Business Impact Analysis
BPA	Business Process Analysis
CAP	Corrective Action Program
COGO	Continuity of Government Operations
COOP	Continuity of Operations Plan
CPG 101	Comprehensive Preparedness Guide 101
EMD	Emergency Management Director (Chief of Police)
EMAP	Emergency Management Accreditation Program
GETS	Government Emergency Telephone Service
HIRA	Hazard Identification & Risk Assessment
HSEEP	Homeland Security Exercise and Evaluation Program
HSPD	Homeland Security Presidential Directive
IT	Information Technology
MEF	Mission Essential Function
MOA	Memorandum of Agreement
MOU	Memorandum of Understanding
TT&E	Test, Training, and Exercise

ANNEX D. FAMILY EMERGENCY PLAN

Overview

Disaster can strike quickly and without warning. It can force you to evacuate your neighborhood or confine you to your home. What would you do if basic services—water, gas, electricity, or telephones—were cut off? Local officials and relief workers will be on the scene after a disaster, but they cannot reach everyone right away.

A. Four Steps to safety

1. Find out what could happen to you
 - a) Contact the Department of Emergency Management Public Education Group or your local Red Cross chapter—be prepared to take notes.
 - b) Ask what types of disasters are most likely to happen. Request information on how to prepare for each.
 - c) Learn about your community's warning signals: what they sound like and what you should do when you hear them.
 - d) Ask about animal care after a disaster. Animals are not allowed inside emergency shelters because of health regulations. Does your jurisdiction have alternate arrangements for pets?
 - e) Find out how to help elderly or disabled persons, if needed.
 - f) Find out about the disaster plans at your workplace, your children's school or day care center, and other places where your family spends time.
2. Create an Emergency Plan
 - a) Meet with your family and discuss why you need to prepare for disaster. Explain the dangers of fire, severe weather, and earthquakes to children. Plan to share responsibilities and work together as a team.
 - b) Discuss the types of disasters that are most likely to happen. Explain what to do in each case.
 - c) Pick two places to meet:

-
- 1) Right outside your home in case of a sudden emergency, like a fire.
 - 2) Outside your neighborhood if you can't return home. Everyone must know the address and telephone number.
 - d) Ask an out-of-state friend to be your "family contact." After a disaster, it's often easier to call long distance. Other family members should call this person and tell them where they are. Everyone must know your contact's telephone number.
 - e) Discuss what to do in an evacuation. Plan how to take care of your pets.
3. Complete this checklist
- a) Post emergency telephone numbers by telephones (fire, police, ambulance, etc.).
 - b) Teach children how and when to call 9-1-1 or your local Emergency Medical Services number for emergency help.
 - c) Show each family member how and when to turn off the water, gas, and electricity at the main switches.
 - d) Check if you have adequate insurance coverage.
 - e) Get training from the fire department for each family member on how to use the fire extinguisher (ABC type), and show them where it's kept.
 - f) Install smoke detectors on each level of your home, especially near bedrooms.
 - g) Conduct a home hazard hunt.
 - h) Stock emergency supplies and assemble a Disaster Supplies Kit.
 - i) Take a Red Cross first aid and CPR class.
 - j) Determine the best escape routes from your home. Find two ways out of each room.
 - k) Find the safe places in your home for each type of disaster.
4. Practice and maintain your plans
-

- a) Quiz your kids every six months.
- b) Conduct fire and emergency evacuation.
- c) Replace stored water every six months and stored food every six months.
- d) Test and recharge your fire extinguisher(s) according to manufacturer's instructions.
- e) Test your smoke detectors monthly and charge the batteries at least once a year.

B. Neighbors helping neighbors

Working with neighbors can save lives and property. Meet with your neighbors to plan how the neighborhood could work together after a disaster until help arrives. If you're a member of a neighborhood organization, such as a home association or crime watch group, introduce disaster preparedness as a new activity. Know your neighbors' special skills (e.g., medical, technical) and consider how you could help neighbors who have special needs, such as disabled and elderly persons. Make plans for child care in case parents can't get home.

C. Home hazard hunt

During a disaster, ordinary objects in your home can cause injury or damage. Anything that can move, fall, break, or cause a fire is a home hazard. For example, a hot water heater or a bookshelf can fall. Inspect your home at least once a year and fix potential hazards.

Contact your local fire department to learn about home fire hazards

D. Evacuation

1. Immediately:
 - a) Evacuate immediately if told to do so.
 - b) Listen to your battery-powered radio and follow the instructions of local emergency officials.
 - c) Wear protective clothing and sturdy shoes.
 - d) Take your Disaster Supplies Kit.

-
- e) Lock your home.
 - f) Use travel routes specified by local authorities—don't use shortcuts because certain areas may be impassable or dangerous.
2. If you're sure you have time:
- a) Shut off water, gas, and electricity before leaving, if instructed to do so.
 - b) Make arrangements for your pets.

E. Emergency Supplies

- 1. Keep enough supplies in your home to meet your needs for at least three days. Assemble a Disaster Supplies Kit with items you may need in an evacuation. Store these supplies in sturdy, easy-to-carry containers such as back-packs, duffel bags, or covered trash containers.
- 2. Include:
 - a) A three-day supply of water (one gallon per person per day) and food that won't spoil.
 - b) One change of clothing and footwear per person, and one blanket or sleeping bag per person.
 - c) A first aid kit that includes your family's prescription medications.
 - d) Emergency tools including a battery-powered radio, flashlight, and plenty of extra batteries.
 - e) An extra set of car keys and a credit card, cash or traveler's checks.
 - f) Sanitation supplies.
 - g) Special items for infant, elderly, or disabled family members.
 - h) An extra pair of glasses.
 - i) Keep important family documents in a waterproof container. Keep a smaller kit in the trunk of your car.

F. Utilities

1. Locate the main electric fuse box, water service main, and natural gas main. Learn how and when to turn these utilities off. Teach all responsible family members. Keep necessary tools near gas and water shut-off valves.
2. Remember - turn off the utilities only if you suspect the lines are damaged or if you are instructed to do so. If you turn the gas off, you will need a professional to turn it back on.

G. If disaster strikes

Remain calm and patient. Put your plan into action.

1. Check for injuries
 - a) Give first aid and get help for seriously injured people.
 2. Listen to your battery-powered radio for news and instructions.
 - a) Evacuate, if advised to do so. Wear protective clothing and sturdy shoes.
 3. Check for damage in your home...
 - a) Use flashlights. Do not light matches or turn on electrical switches, if you suspect damage.
 - b) Sniff for gas leaks, starting at the water heater. If you smell gas or suspect a leak, turn off the main gas valve, open windows, and get everyone outside quickly. (You will need a professional to turn gas back on.)
 - c) Shut off any other damaged utilities.
 - d) Clean up spilled medicines, bleached, gasoline, and other flammable liquids immediately.
 4. Remember to...
 - a) Confine or secure your pets.
 - b) Call your family contact—do not use the telephone again unless it is a life-threatening emergency.
 - c) Check on your neighbors, especially elderly or disabled person.
-

- d) Make sure you have an adequate water supply in case service is cut off.
- e) Stay away from downed power lines.

H. General disaster preparedness information

1. Family Preparedness
 - a) “Your Family Disaster Plan” (ARC 4466)
 - b) “Your Family Disaster Supplies Kit” (ARC 4463)
2. Children’s Preparedness Materials
 - a) “Disaster Preparedness Coloring Book” (ARC 2200, English, or ARC 2200S, Spanish) for children ages 3-10.
 - b) “Adventures of the Disaster Dudes” (ARC 5024) video and Presenter’s Guide for use by an adult with children in grades 4-6.
3. Community Preparedness
 - a) To get copies of American Red Cross community disaster education materials, contact your local Red Cross chapter.



**City of Orting
Council Agenda Summary Sheet**

Subject: Sign Code Update, Ordinance No. 2019-1041, Repealing And Replacing Orting Municipal Code Title 13, Chapter 7, Relating Development Regulation Of Signs		Committee	Study Session	Council
	Agenda Item #:		AB19-16	AB19-16
	For Agenda of:		2.20.19	02/27/2019
	Department:	Planning/Administration		
	Date Submitted:	01/21/2019		
Cost of Item:	N/A			
Amount Budgeted:	N/A			
Unexpended Balance:	N/A			
Bars #:	N/A			
Timeline:	N/A			
Submitted By:	Emily Terrell			
Fiscal Note:				
Attachments:	Ordinance No. 2019-1041, & Exhibit A			
SUMMARY STATEMENT:				
<p>After approximately two years of work, at the January 7, 2019 regular meeting, the Planning Commission voted unanimously to recommend approval of the attached Sign Code Update. The Sign Code update amends the Sign Code to comply with recent court cases including the US Supreme Court case <i>Reed v. Town of Gilbert, Ariz.</i>, 135 S. Ct. 2218, 192 L.Ed.2d 236 (2015), and subsequent appellate cases. The Gilbert case requires all non-commercial speech (political, religious, opinion, etc.) to be regulated in a manner that is content free in accordance with the free speech provisions of the First Amendment of the US Constitution. This means these types of signs may be regulated based on location, size, materials and duration but not based on the author or message of the sign. The Ninth Circuit Court recently clarified these provisions with respect to commercial speech, which will be subject to intermediate rather than strict judicial scrutiny. Therefore, commercial signs may be regulated more strictly than non-commercial speech. The attached ordinance complies with both intermediate and strict scrutiny and provides for visually appealing signage while allowing an adequate number, size, location and duration of signs for commercial uses.</p>				
RECOMMENDED ACTION: Move forward to new Business on the City Council agenda of February 27 th , 2019.				
FUTURE MOTION: To Adopt Ordinance No. 2019-1041, Repealing And Replacing Orting Municipal Code Title 13, Chapter 7, Relating To Development Regulation Of Signs; Providing For Severability; And Establishing An Effective Date				

CITY OF ORTING
WASHINGTON
ORDINANCE NO. 2019-1041

**AN ORDINANCE OF THE CITY OF ORTING,
WASHINGTON, REPEALING AND REPLACING ORTING
MUNICIPAL CODE TITLE 13, CHAPTER 7, RELATING TO
DEVELOPMENT REGULATION OF SIGNS; PROVIDING
FOR SEVERABILITY; AND ESTABLISHING AN
EFFECTIVE DATE**

WHEREAS, the City of Orting is a non-charter optional municipal code city as provided in Title 35A RCW, incorporated under the laws of the state of Washington; and

WHEREAS, the City Council previously adopted regulations pertaining to the design, installation, alteration, relocation, maintenance, use, and removal of signs, codified at Chapter 13-7 of the Orting Municipal Code (OMC); and

WHEREAS, the City Council desires to update and amend OMC Ch. 13-7 in response to the U.S. Supreme Court's decision in Reed v. Town of Gilbert, Ariz., 135 S. Ct. 2218, 192 L.Ed.2d 236 (2015), and subsequent appellate cases, which clarified the law governing local government regulation of signage; and

WHEREAS, the City Council further desires to update OMC Ch. 13-7 so that the regulations are tailored to provide for the orderly development of land and use of property within its corporate limits; and

WHEREAS, the City Council also seeks to amend OMC Ch. 13-7 to ensure the regulations ensure the maintenance of the value of Orting's scenic beauty and rural charm, which are the keystones of the City's quality of life through a comprehensive regulatory program that includes restrictions on signs; and

WHEREAS, the City Council further seeks to adopt a new OMC Ch. 13-7 to update the City's regulations for the location, size, placement and certain features of signs, which are necessary to enable the public to locate goods, services and facilities in the corporate limits of the City and within its extraterritorial jurisdiction, to promote expression by sign while encouraging general community aesthetics and the attractiveness of the community and protecting property values therein; and

WHEREAS, the City Council seeks to amend OMC Ch. 13-7 to ensure the regulations promote the safety of persons and property by providing that approved signs promote and protect the public health, safety, comfort, morals and convenience; do not obstruct firefighting or police surveillance; and do not overload the public's capacity to receive information or increase the

probability of traffic congestion and accidents to vehicles or pedestrians by distracting attention or obstructing vision; and

WHEREAS, the City Council acknowledges that updated regulation of signage can enhance the economy and the business of the City by promoting the reasonable, orderly and effective display of signs, thereby encouraging tourism and increased communication with the public so that business and services may identify themselves; customers and other persons may locate a business or service; signs shall be compatible with their surroundings, appropriate to the type of activity to which they pertain and expressive of the identity of proprietors and other persons displaying signs; and

WHEREAS, the City Council further acknowledges that updated regulation of signage will likely protect the public welfare and enhance the appearance and economic value of the landscape by providing that signs do not interfere with scenic views and that they protect and preserve the unique and natural beauty of the City; do not create a nuisance to persons using the public right-of-way; do not create a nuisance to occupancy of adjacent and contiguous property by their brightness, size, height or movement; and are not detrimental to land or property values; and

WHEREAS, the Planning Commission held a duly noticed public hearing on the proposed new OMC Ch. 13-7 identified herein on January 7, 2019; and

WHEREAS, a draft version of this ordinance was submitted to the Washington State Department of Commerce for review on January 18, 2019; and

WHEREAS, the City Council has considered this ordinance, together with all public comment, and has determined that the proposed regulations are in accord with the Comprehensive Plan, will not adversely affect the public health, safety, or general welfare, and are in the best interest of the citizens of the City; and

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

Section 1. OMC Title 13, Chapter 7, Repealed. Orting Municipal Code Title 13, Chapter 7, is hereby repealed in its entirety.

Section 2. OMC Title 13, Chapter 7, Enacted. Orting Municipal Code Title 13, Chapter 7, is hereby enacted in the form stated in Exhibit A hereto, which is adopted by reference herein.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance and its Attachment, 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 pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 4. Codification of Ordinance and Attachments. The City Council authorizes the City Clerk to correct any non-substantive errors herein, codify the Ordinance and its Attachments, and publish the modified code.

Section 5. Effective Date. This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force on April 15, 2019.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 27TH DAY OF FEBRUARY, 2019.

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Jane Montgomery, City Clerk

Approved as to form:

Alexandra Kenyon
Kenyon Disend PLLC
Acting City Attorney

Filed with the City Clerk: 1.21.19
Passed by the City Council: 2.27.19
Date of Publication: 3.1.19
Effective Date: 4.15.19

**ORTING MUNICIPAL CODE
TITLE 13 – DEVELOPMENT REGULATIONS
CHAPTER 7 – SIGN REGULATIONS**

13-7-1	FINDINGS AND PURPOSE
13-7-2	DEFINITIONS
13-7-3	EXEMPTIONS
13-7-4	GENERAL REGULATIONS
13-7-5	PERMIT REQUIRED; ADMINISTRATION
13-7-6	PROHIBITED SIGNS; ALL ZONES
13-7-7	SANDWICH BOARD SIGNS
13-7-8	TEMPORARY SIGNS
13-7-9	LIMITATIONS ON PERMANENT SIGNS
13-7-10	SIGN VARIANCES
13-7-11	NONCONFORMING SIGNS
13-7-12	ABATEMENT OF ILLEGAL SIGNS
13-7-13	LIABILITY OF CITY
13-7-14	SEVERABILITY

13-7-1 FINDINGS AND PURPOSE:

A. Findings. The City Council finds as follows:

1. Signs are a means of personal free expression;
2. The use and display of signs is a legitimate use of public and private property, and is an integral part of the business and marketing functions of the local economy and serves to promote and protect private investments in commerce and industry, and is a necessary component of a commercial environment;
3. Signs can promote the efficient transfer of information by providing messages and information needed and sought by the public, allowing businesses and services to identify themselves; and, ensuring that customers and other persons may locate a business or service;
4. Easily read and properly designed and placed signage can be valuable to the public by assisting with way-finding, orientation, and decision making and therefore contribute in a positive way to the health, safety, and welfare of the public;
5. In the absence of regulation, the number of signs tends to proliferate, with property owners' desiring ever increasing numbers and sizes of signs, leading to cluttered and aesthetically blighted property and thoroughfares, and escalation in the size of signs erected by competing businesses;
6. The competition among competing sign owners for visibility of their signs contributes to safety hazards for both vehicles and pedestrians, and undermines the sign owners' original purpose of presenting a clear message of its idea or identification of its premises;

7. Persons exposed to signs can be overwhelmed by the number of messages presented, and may not be able to exercise freedom of choice to observe or ignore said messages, according to the observer's purpose;
8. Regulations restricting the size, material, construction, location and number of signs can create a pleasing environment for the entire community and enhance public safety;
9. Signs erected by the City are, in part, erected for the purpose of maintaining the public safety either through direct control of traffic or through provision of such type of signage as street signs which enable the traveling public to know where they are located and to find where they are going. With the exception of signs identifying government buildings and signs providing information on government-sponsored community events, virtually all government signs are erected purely for public safety purposes. Moreover, their use in the public right-of-way is necessary to ensure their visibility to the motoring public;
10. Public utility signs are frequently of the same nature as those signs erected by governmental entities in that they provide necessary information to safeguard the public from downed power lines and from street excavations. Even where signs serve a propriety purpose, such as identifying markings on utility poles, those signs are marked primarily for the purpose of benefiting the public generally through identification of locations where there may be temporary losses of power and identifying potential hazards;
11. Some signage has a single targeted function and identification of such signage by description is impossible without referring to its function. For instance, address numerals are used for the sole purpose of locating addresses, which is of benefit to persons looking for those addresses and is essential to public safety personnel responding to emergencies. Subdivision signs at the entrances to subdivisions favor a similar purpose in enabling both the traveling public and emergency personnel to quickly locate subdivision entrances for the purpose of either visitation or responding to emergency calls. While such signage is often referenced based upon the function it serves within the context of this ordinance, whenever possible, it is the intent of this ordinance to refer to signs unrelated to the content of the message provided;
12. Driver distraction is a significant cause of motor vehicle accidents leading to property damage and personal injury;
13. Signs visible from motor vehicles being driven upon streets in the City have a visual impact upon the drivers of those vehicles;
14. Signs can overwhelm the public, unduly distract and confuse motorists by diverting attention away from the roadway, and result in safety threats to vehicular and pedestrian traffic;

15. Signs can create traffic hazards by confusing or distracting motorists and pedestrians, or by impairing the driver's ability to see pedestrians, obstacles, or other vehicles, or to read traffic signs;
16. Brightly lit signs, electronic signs, and animated signs waste valuable energy, contribute to light pollution, produce hazardous glare, and create the potential for distracting or confusing motorists, thereby negatively impacting the health, safety, and welfare of the public. Further, digital billboards have the potential to distract drivers for a significantly longer time than non-digital billboards creating a greater potential for driver distraction;
17. Signs which are unregulated as to size, location and appearance can increase the level of distraction of motorists, interfere with early identification of traffic control devices, and hinder the smooth and safe movement of traffic;
18. Portable signs contribute to visual clutter and present distractions to drivers and pedestrian users of the public sidewalks, crosswalks and other pedestrian pathways;
19. Lightweight design and easy mobility of portable signs create a potential for extraordinary safety hazards. Portable signs are often placed in close proximity to public rights-of-way in order to optimally attract the attention of motorists. Such placement creates visual obstruction of oncoming pedestrian and vehicular traffic for motorists ingressing or egressing from a place of business;
20. Portable signs also have a tendency to be blown about in strong winds causing and creating visual clutter, obstruction of pedestrian and vehicular passage, safety hazards, and damage to landscaping;
21. Portable signs with electrical connections and components, if improperly maintained, pose a serious public safety hazard;
22. Improperly constructed and poorly maintained signs may be safety hazards that constitute a public health risk;
23. Moving signs are intended to distract the attention of drivers and pedestrians to call attend to the message on the sign and create a greater distraction to drivers and pedestrians than stationary signs of similar size and appearance;
24. Signs can constitute aesthetic harm by cluttering the rural landscape and highway corridors and adversely affecting the naturally scenic views and native environment;
25. Signs may conceal or obstruct windows, doors, or significant architectural features or details of buildings;
26. Signs can create a hazard due to collapse, fire, collision, decay or abandonment;
27. Signs can obstruct firefighting or police surveillance;

28. Signs can arbitrarily deny the use of the lines of vision from the public right-of way;
29. Regulation of signs can protect the public welfare and enhance the appearance and economic value of the City and protect or increase property values;
30. The regulatory standards set forth in this Code are consistent with customary use in this City and will properly carry out the purposes of this Code.

B. Purpose: This Chapter establishes regulations governing the installation, alteration, relocation, maintenance, use, and removal of signs in the City in a manner that recognizes the importance of signage for the economic well-being of businesses within the City while promoting a quality visual environment and protecting our views and vistas. These regulations are further intended to balance the need to protect the public safety and welfare, the need for a well-maintained and attractive community, the need for adequate identification, communication and advertising; and, to protect free expression.

Specifically, this Chapter seeks to accomplish the following:

1. Encourage commercial communication which is responsive to the needs of the public in locating a business establishment by identification address, product, and/or service information; and
2. Promote the enhancement of business and residential properties and neighborhoods by fostering the erection of signs complementary to the buildings and uses to which they relate and which are harmonious with their surroundings; and
3. To protect and enhance the visual character and identity of the community by the thoughtful placement and design of signs; and
4. To reflect and support the desired character and development patterns of the various zones of the City by requiring that signs, adhere to section 13-6-7 of this title pertaining to the architectural design style for the City. Section 13-6-7 of this title states that these regulations are intended to implement and further the comprehensive plan of the City by ensuring that all development in the mixed use-town center and mixed use-town center north, and all commercial and public development within the City limits, is designed to be consistent with the adopted architectural theme of "turn of the century: western or Victorian"; and
5. Ensure that signs, including indoor signs visible from streets or ways open to the public, do not create obstructions to motorists by interfering with sight lines or directional traffic signs or in any other way endanger the safety, health, or welfare of citizens and visitors to the City; and
6. To ensure that signs are designed, constructed, installed and maintained according to minimum standards to safeguard life, health, property and public welfare; and
7. To ensure that the constitutionally guaranteed right of free speech is protected by regulating signs in a content-neutral manner; and

8. To improve pedestrian and traffic safety; and
9. Eliminate clutter and visual distraction by ensuring signs are appropriate in size and relationship to the subject property, street frontage and building size; and
10. Allow sufficient flexibility and incentive for creative and innovative sign designs; and
11. Safeguard and enhance property values, attract new residents, and encourage orderly City development; and
12. Allow for limited temporary commercial signage in the public right of way, to provide a flow of truthful and legitimate commercial information to consumers to enable them to make vital decisions, particularly as it relates to the purchase of a home, and to further the critical public goal of providing for equal access to housing; and
13. Ensure consistency with the goals and policies of the Comprehensive Plan.

13-7-2 DEFINITIONS:

The following definitions shall apply to this Chapter:

ABANDONED SIGN: A sign that no longer correctly identifies, exhorts, or advertises any person, business, lessor, owner, product, or activity conducted or available on the premises where such sign is located and which has not been changed or removed within one hundred eighty (180) days of a tenancy change; or an on-premises sign which is damaged, in disrepair, or vandalized and not repaired within sixty (60) days of the damaging event.

ANIMATED SIGN: Any permanent sign that flashes or simulates motion with an electronic or manufactured source of supply or contains wind actuated motion (excluding flags or banners). Animated signs may include a sign that meets the definition for revolving signs, or changing message centers.

BANNER SIGN: A permanent sign constructed of a rectangular shape of fabric or other suitable material which is attached or suspended at two (2) ends or continuously across the long side. Attachment or suspension may be from buildings and/or poles. Flags, insignias, canopy signs, and posters are not considered "banner signs".

BILLBOARD SIGN: A large permanent sign which directs attention to a business, profession, product, activity, or service which is not conducted, sold, or offered on the premises where the sign is located. The approximate size of the billboard faces ranges from 12 to 14 feet in height and 24 to 48 feet in width.

CANOPY SIGN: Any permanent sign that is part of or attached to a canopy, or a non-rigid, retractable or non-retractable, protective covering located at the entrance to a structure.

CHANGING MESSAGE CENTER. An electrically controlled permanent sign that displays different copy changes on the same lamp bank which change at intervals of 30 seconds or greater.

CENTER, SHOPPING. A multi-tenant building with one or more stories used for retail and service uses with a shared building and/or parking area.

COPY: The linguistic or graphic content of a sign.

DIRECTIONAL SIGN: A permanent non-commercial sign used to direct pedestrian or vehicular traffic to a facility, service, or business.

DISPLAY CASE: A permanent, freestanding sign with changeable copy.

ELECTRICAL SIGN: A permanent sign or sign structure in which electrical wiring, connections, and/or fixtures are used as part of the sign proper.

EXTERNAL ILLUMINATED SIGN: A permanent sign illuminated by an external light source.

FAÇADE: The entire building front, or street wall face, including grade to the top of the parapet or eaves, and the entire width of the building elevation.

FESTOON (GARLAND): A temporary strip or string of lights or other decorations.

FLAG. A temporary sign composed of a fabric sheet of square, rectangular or triangular shape which is mounted on a pole, cable or rope at one (1) end, including by way of example and not limitation, feather flags, bow flags, flutter and such similar flags.

FLASHING SIGN: An electrical permanent sign or a portion thereof which changes light intensity in a sudden transitory burst, or which switches on and off in a constant pattern in which more than one-third of the non-constant light source is off at any one time.

FLOATING SIGN: A permanent sign that is air or gas filled that floats or has movement in the air.

FREESTANDING SIGN: A permanent sign, not attached to any building or structure, which is securely and permanently attached to the ground or a built-up landscaped area. The height of a freestanding sign shall be measured from the crown of the road adjacent to the location of the sign or from the ground at the base of the sign supports to the top of the sign, whichever is higher in elevation.

FRONTAGE: The measurement, in linear feet, of the length of the property line for a single-tenant building or length of leased building frontage for multitenant buildings or multibuilding complexes.

GRADE: The relative existing ground level in the immediate vicinity of the sign.

GOVERNMENT FLAG. Any flag or badge or insignia of the United States, State of Washington, Pierce County, or City of Orting.

INCIDENTAL SIGN: A permanent sign, generally informational, that has a purpose secondary to the use of the property on which it is located, and which is used to do one or more of the following:

- A. Direct traffic flow, vehicular or pedestrian, i.e., "one-way", "crosswalk", "do not enter", etc.;
- B. Clearly indicates location of ingress and egress points, i.e., "entrance", "exit";
- C. Direct certain activities to certain areas, i.e., "parking", "no parking", "waiting", "loading", etc.; or
- D. Provide other similar incidental information, i.e., "no trespassing", "no hunting", "phone", "ATM", "no dumping", "no loitering".

INTERNAL ILLUMINATED SIGN: A permanent sign with an internal light source shining through the face of the sign. Exposed neon signs are internally illuminated.

MONUMENT SIGN: A permanent freestanding sign having the appearance of a solid base of landscape construction materials such as brick, stucco, stonework, textured wood, tile, or textured concrete that are harmonious with the materials of the primary structure on the subject property.

OFF-PREMISES SIGN: A sign relating, through its message and content, to a business activity, use, product or service not available on the premises upon which the sign is erected.

ON-PREMISES SIGN: A sign which carries a message and content incidental to a lawful use of the premises on which it is located, including signs indicating the business transacted, services rendered, goods sold or produced on the premises, name of the person, firm or corporation occupying the premises.

PERMANENT SIGN. Any sign which is intended to be lasting and is constructed from an enduring material such as masonry and metal which remains unchanged in position, character, and condition (beyond normal wear), and is permanently affixed to the ground, wall or building, provided the sign is listed as a permanent sign in the ordinance.

PORTABLE SIGN: A temporary sign made of any material, including paper, cardboard, wood or metal, which is capable of being moved easily and is not permanently affixed to the ground, structure or building. This also includes sidewalk or sandwich board signs, except those worn by a person.

READER BOARD: A permanent sign face designed to allow copy changes either by manual or electronic means.

REAL ESTATE SIGN: Any temporary or permanent sign, which is used to offer property for sale, lease, or rent.

RESIDENTIAL DEVELOPMENT SIGN: A permanent sign which identifies a residential development upon which the sign is located.

REVOLVING SIGN: Any permanent sign that rotates or turns in motion by electrical or mechanical means in a circular pattern.

SANDWICH BOARD/SIDEWALK SIGN: A temporary portable sign consisting of two (2) sign faces hinged at the top and separated at the bottom to make it self-standing.

SEARCH LIGHT: An apparatus for projecting light: an apparatus for projecting a high intensity beam of light in any direction.

SIGN: Any writing, video projection, pictorial representation, number, illustration, decoration, flag, banner, pennant, emblem, or other device which is displayed for informational or communicative purposes. The term "sign" shall include the structure, including all associated brackets, braces, supports, lighting and wires, specifically intended for supporting a sign, whether the sign is free standing or attached or affixed to a building.

SIGN, COMMERCIAL. A permanent or temporary sign erected for a business transaction or advertising the exchange of goods and services.

SIGN HEIGHT: The vertical distance measured from the adjacent grade to the highest point of the sign, except the height of a freestanding sign shall be measured from the crown of the road adjacent to the location of the sign or from the ground at the base of the sign supports to the top of the sign, whichever is higher in elevation.

SIGN, NONCOMMERCIAL. Any permanent or temporary sign that is not a commercial sign. This definition also includes signs regarding fund raising or membership drive activities for noncommercial or nonprofit entities or groups.

SIGN STRUCTURE: Any structure that supports or is capable of supporting any sign as defined in this Chapter. A sign structure may be a single pole or may or may not be an integral part of the building or structure.

TEMPORARY SIGN: Any sign, banner, pennant, or valance constructed of cloth, canvas, light fabric, cardboard, wallboard or other like materials. Any sign not permanently attached to the ground, wall or building, intended to be displayed for a short period of time only.

WALL SIGN: Any sign attached directly to and supported by the wall of a building or permanent structure.

13-7-3 EXEMPTIONS:

The standards and regulations set forth in this Chapter apply to all signs proposed for installation in the City, with the exception of the following:

- A. Historic site markers or plaques, gravestones, and address numbers not more than ten (10) inches in height;

B. Signs erected on public property by the state of Washington, the United States, the county of Pierce, or the City of Orting, displaying a public service message, or other regulatory, statutory, traffic control or directional message;

C. Plaques, tablets, or inscriptions indicating the name of a building, date of erection, or other commemorative information, which are an integral part of the building structure or are attached flat to the face of a structure or other natural surface, and do not exceed two (2) square feet in area;

D. Religious displays other than signs regulated by this Chapter;

E. A mural, defined as a one-of-a-kind, hand-painted, hand-tiled, or digitally printed image on the exterior wall of a building that does not contain any commercial message. Murals require a building permit from the City through the architectural design review process, OMC 13-6-7, prior to installation;

F. Signs displayed within the interior of any structure and not visible from streets or ways open to the public, except when such signs negatively impact public health and safety;

G. Incidental signs that do not exceed three (3) square feet in area;

H. Exterior signs bearing the name of the occupant of a dwelling unit, defined at OMC 13-2-5, not exceeding three (3) square feet in area;

I. Government flags;

J. Official or legal notices issued and posted by any public agency, as defined by law, or court; and

K. Public Notices of Development Applications required per OMC Ch. 15.

13-7-4 GENERAL REGULATIONS:

A. Conflict: Where regulations conflict within the provisions codified in this Chapter or with other ordinances, the most stringent regulation shall apply.

B. Visibility: No sign shall be erected that interferes with the visibility of traffic control devices or street name signs nor shall any sign be placed so as to cause visual obstruction of a public right of way.

C. Permanent Sign Structure and Installation: The structure and installation of all signs shall comply with this Chapter, Titles 13 and 10 of the OMC, and the latest adopted edition of the City's building code.

D. Architectural Details: Signs shall be located so as to complement the original architecture features and character of the building. Permanent signs are subject to the requirements of section 13-6-7 of this title. All signs may not cover or obscure important architectural details of a building such as stair railings, turnings, windows, doors, decorative louvers, or similar elements intended to be decorative features of a building design. All signs must appear to be a secondary and

complementary feature of the building facade. Wall signs must be located within architectural sign bands or other blank spaces which visually frame the sign. Blank wall sections above or between windows and doors, for example, may provide an effective location for signage. Signs hanging between pillars and archways may also be an effective design solution.

F. Owner Shall Maintain: All signs shall be maintained by the owner of the sign to show no signs of deterioration, including, but not limited to, rust, holes, discoloration, peeling paint, trash, or overgrowing weeds.

F. Illumination: All sign illumination shall be by indirect lighting and shall be lighted in such a manner that glare from the light source is not visible to pedestrian or vehicle traffic. Temporary signs shall not be illuminated.

G. Permanent Freestanding Signs: Permanent freestanding signs are considered structures for purposes of compliance with required setbacks. Landscaping shall be used in conjunction with all permanent freestanding signs and may utilize shrubs and plantings or decorative features such as concrete bases, planter boxes, or ornaments.

H. Ownership and Removal of Signs:

1. Private Property: The property owner or lessee is responsible for all signs on private property and compliance with this Chapter and all other applicable regulations. The property owner or lessee shall immediately remove all illegal, damaged, vandalized or abandoned signs. Signs on private property in violation of this Chapter shall be abated by the City pursuant to the process set out in this Chapter.

2. Public Right of Way: Except as otherwise provided in this Chapter, no permanent signs shall be placed in the public right of way. Temporary non-commercial signs may be placed in the public right of way with a permit issued by the City, and with the permission of the immediately adjacent property owner and are subject to the regulations set forth in this Chapter. The permittee shall remove permitted temporary sign(s) placed in the public right of way, pursuant to the terms of the permit. The City or its agents may summarily remove any sign placed in the right-of-way or public property in violation of the terms of this Chapter and is entitled to recover the costs of abatement from the permittee, in accordance with the process set out in this Chapter.

I. Directional Signs: On premises permanent directional signs not exceeding four (4) square feet in area may be permitted for each entrance or exit to a surface parking lot. Permanent directional signs may be permitted within the public right of way with the permission of the immediately adjacent property owner, pursuant to the permit process stated in this Chapter. Off premises permanent directional signs, whether on private or public property, shall only identify the facility or site and its distance and direction from the sign.

J. Sign Area Determinations:

1. Sign area for freestanding signs other than monument signs shall be calculated by determining the total surface area of the sign as viewed from any single vantage point, excluding support structures.

2. Sign area for letters or symbols painted or mounted directly on wall or monument signs shall be calculated by measuring the smallest single rectangle which will enclose the combined letters and symbols.

3. Sign area for signs contained entirely within a cabinet and mounted on a wall or monument shall be calculated by measuring the entire area of the cabinet.

4. Perimeter of all other signs shall be established by the smallest rectangle enclosing the extreme limits of the letter module or advertising message being measured.

K. Installation Prohibited:

1. No sign shall be installed, attached to, supported by or propped up against any utility pole, light standard, traffic sign, tree, fire hydrant, or any other public facility located within the public right of way.

2. No sign shall be mounted above the roofline and/or on the roof of a building.

13-7-5 PERMIT REQUIRED, ADMINISTRATION:

A. Permanent Signs - Permit Required: Except as otherwise provided in this Chapter, no permanent sign shall be erected, altered, or relocated within the City without a sign permit issued by the City of Orting Building Department, following submission, review and approval of the sign through the architectural design review process, set out in OMC 13-6-7. This Chapter shall not be construed to require any permit for the change of copy on any sign, nor for the repainting, cleaning, and other normal maintenance or repair of a sign or sign structure for which a permit has previously been issued, so long as the sign structure has not been modified in any way.

1. Application: A City sign permit application must be completed and submitted to the City Building Department, and shall include the following:

a. All plans and layouts for the proposed sign, including a drawn to scale site plan to be submitted to the City; and

b. Evidence of commercial general liability insurance with a responsible insurance company, licensed to do business in the state of Washington, properly protecting and indemnifying the City for injury to or death of persons and for property damage arising out of the presence of the permitted sign, including but not limited to a certificate or certificates of insurance, in a form acceptable to the City, and naming the City as an additional insured.

2. No sign permit shall be issued for any sign subject to design review and approval until such time as the sign has been approved pursuant to section 13-6-7 of this title.

3. Time Limitations: Sign permits authorized by the City of Orting Building Department shall expire within one hundred eighty (180) days, if the sign installation has not been completed and approved. If the sign installation has not been completed and approved within that time period, the permit may be extended for a single period of up to one hundred

twenty (120) days from the date of expiration of the initial permit, if the request for extension is made prior to the expiration date of the initial permit. Once the sign is installed and approved by the Building Department, the permit shall expire one (1) year from the date of issuance.

B. Temporary Signs – Permit Required: Except as otherwise provided in this Chapter, no temporary sign shall be erected, altered, or relocated within the City without a sign permit issued by the City of Orting. To obtain a permit, the permittee shall submit an application to the Cashier at City Hall, along with the proposed sign. Once issued, the permit shall be affixed to the sign at all times the sign is displayed. The permit shall state the permit's expiration, which shall be set in accordance with this Chapter.

13-7-6 PROHIBITED SIGNS, ALL ZONES:

The following signs are prohibited in all zones within the City:

A. Permanently constructed signs located in or projecting into the public right of way, unless otherwise provided in this Chapter;

B. Any sign attached to or placed on a vehicle or trailer parked on public or private property. The prohibition of this subsection does not prohibit the identification of a firm or its principal products on a vehicle operating during the normal course of business;

C. Signs which blink, flash, rotate, contain changing images or text that are electronically generated, or are animated by lighting in any fashion, or that are internally illuminated;

D. Signs which by coloring, shape, wording, or location resemble or conflict with traffic control signs or devices;

E. Off premises signs, signage on fencing, and commercial signs in primarily residential zones (RC, RU, RMF), except as specifically allowed in this Chapter;

F. Billboard signs;

G. Floating signs; and

H. Mannequins used for signage.

13-7-7 SANDWICH BOARD SIGNS:

A. Sandwich board signs are a type of temporary sign permitted by the City in accordance with this Chapter but are subject to the permitting process for permanent signs, including architectural design review process stated at OMC 13-6-7. Applicants must provide all information required in OMC 13-6-7 and 13-7-5 to the City of Orting Building Department and must also provide the City with proof of continuous liability insurance for any harm attributable to the sign in an amount established by the City at the time of permit issuance.

B. Sandwich board signs are allowed subject to the following restrictions:

1. Sandwich board signs are limited to thirty-six inches (36") in height and thirty inches (30") in width. They must be constructed of durable materials.
2. Sandwich board signs may be located on public sidewalks or adjacent areas in a manner so as to allow adequate pedestrian circulation allowing a minimum of three (3) feet of available sidewalk path, including safe and unconstrained access to parked vehicles. Sandwich board signs shall be placed adjacent to the sign owner's business or premises except when the applicant can demonstrate a need for placement up to one hundred feet (100') from the business or premises and with the permission of the immediately adjacent property owner(s).
3. No sandwich board sign shall be placed within thirty (30) feet of another sandwich board sign.
4. Under no circumstances may a sandwich board sign be placed on the portion of the public right of way upon which vehicles regularly traverse or park. No sign shall be placed in median strips, planter/traffic islands, or in the roadway, including on vehicles. The City shall determine, at its sole discretion, the approved location of sandwich board signs to ensure pedestrian safety and vehicle circulation. Sandwich board signs shall not be located within thirty feet (30') of street intersections or where they inhibit motorist sight distances.
5. No single business or other party shall site more than one sandwich board sign within the City.
6. Sandwich board signs may only be displayed during the hours the premises or business is open to the general public, provided non-commercial sandwich board signs may be placed in the public right of way for a maximum period of twelve (12) hours per each twenty-four (24) hour period.
7. Sandwich board signs that are not permitted or are otherwise out of compliance with this Chapter shall be abated by the City, pursuant to the process set out in this Chapter.
8. The sign owner shall maintain the sign in the condition originally approved.

13-7-8 TEMPORARY SIGNS:

A. Temporary signs are allowed throughout the City, subject to the restrictions imposed herein and other relevant parts of this code. No temporary commercial or noncommercial sign shall be located on public property, or within public easements or street rights of way, except as otherwise provided in this Chapter. Except as otherwise provided in this Chapter, temporary signs shall be exempt from the architectural design review requirements of section 13-6-7 of this title.

B. Placement and Size.

1. No temporary signs shall be located within the center median of principal, minor, and collector arterials or within roundabouts, traffic circles, or islands, or within ten

(10) feet from any intersection so as to preserve driver site visibility. No temporary signs over thirty-six (36) inches in height are permitted within 15 feet of a road or driveway.

2. Temporary signs shall not be illuminated.

3. Temporary signs shall not be attached to any utility pole, fence, building, structure, object, tree or other vegetation located upon or within any public right-of-way or publicly owned or maintained land.

4. Temporary signs shall not be erected without the permission of the owner of the property on which they are located, nor shall they be placed in such a manner as to obstruct or interfere with traffic or endanger the health or safety of people or endanger property.

C. Additional Regulations Specific to Temporary Commercial Signs.

1. General Commercial Signs.

i. No business or other party shall display more than two (2) temporary commercial signs simultaneously for no longer than thirty (30) continuous days.

ii. No two temporary signs may be closer together than thirty (30) feet.

iii. Temporary signs may be displayed for no more than six (6) 30-day periods, per sign, within a calendar year.

2. Construction: Development projects under construction shall be permitted to place one sign on each street frontage during the period of construction. The total area of all construction signs for each project shall not exceed thirty-two (32) square feet. No construction signs shall be placed until the City has issued a building permit for the project and the sign has been issued a Temporary Sign Permit.

3. Temporary Signs Placed on Property for Sale or Lease. Temporary signs placed on property for sale or lease are permitted, subject to the following:

i. Zones Permitted: Temporary signs placed on property for sale or lease shall be permitted in all zones except the public facilities, open space and recreation zones.

ii. On-Premises: Such signs shall be limited to one sign per street frontage not to exceed six (6) square feet in sign area per side, placed wholly on the property for sale. All temporary signs placed on property for sale or lease shall be removed within five (5) days of the final sale or rental.

iii. Off-Premises: During any time when a property for sale or lease is open for public viewing, one (1) sign per dwelling unit or property for sale or lease may be displayed:

- a. on private property, with the consent of the property owner; or
- b. in public rights-of-way, other than paved vehicular travel lanes, paved parking areas, sidewalks or pedestrian paths, driveway aprons and center medians.

4. Temporary signs advertising the sale of lots located within a planned development under construction shall be permitted; provided, that there shall be no more than one sign per entrance, and each sign shall be not greater than thirty two (32) square feet in area, no greater than eight feet (8') in height, and erected for no longer than a period of one year.

5. Sign Plan. At the time of submittal of an application for final planned development and/or plat approval, the applicant shall submit a sign plan which shall identify all proposed on-site and off-site locations, sizes, and designs for proposed temporary signs advertising the lots and/or houses. The sign plan shall also describe the applicant's responsibility for sign maintenance and removal, which shall be prepared in accordance with the terms of this Chapter. The approved sign plan shall be in force for one year unless an extension is granted by the City.

D. Additional Regulations Specific to Temporary Noncommercial Signs.

1. Temporary noncommercial signs on private property shall not exceed three (3) square feet in area.

2. Temporary noncommercial signs may be placed in the public right of way, subject to the following:

a. The sign shall not exceed three (3) square feet in area;

b. The sign shall not be displayed for longer than 180 days per calendar year;

c. The sign shall be designed and constructed so as not to interfere with the sight distance of, or otherwise present a hazard to, motorists proceeding on or approaching on adjacent streets, alleys, driveways, or parking areas, or of pedestrians proceeding on or approaching on adjacent sidewalks or pedestrianways, as determined in the City's sole discretion; and

d. There shall be a minimum of 300 feet between each sign pertaining to the same noncommercial topic, organization, entity or person.

13-7-9 LIMITATIONS ON PERMANENT SIGNS:

A. Number, Type, Size, and Height Limitations: All permanent signs subject to regulation under this Chapter are subject to the following limitations upon number, height, size, and type:

Frontage On A Public Right Of Way In Feet	Number Of Signs Permitted	Type Of Signs Permitted	Total Aggregate Limit Of All Signs	Maximum Height Of Signs
Less than 50	2	Canopy, wall and under canopy	Maximum of 10% of square footage of building facade	Building sign shall not extend above the roofline. Projected signs and under canopy signs must provide a minimum 7'6" clearance from sidewalk
At least 50 but less than 100	2	Parapet signs, canopy, wall and under canopy	Maximum of 10% of square footage of building facade	Building sign shall not extend above the roofline. Projected signs and under canopy signs must provide a minimum 7'6" clearance from sidewalk
At least 100 but less than 200	2	Parapet signs, canopy, wall and under canopy	Maximum of 10% of square footage of building facade	Building sign shall not extend above the roofline. Projected signs and under canopy signs must provide a minimum 7'6" clearance from sidewalk
At least 200 but less than 300	3	Parapet signs, canopy, wall, under canopy and freestanding	Maximum of 10% of square footage of building facade	Freestanding sign height shall not exceed 5 feet and building sign shall not extend above the roofline. Projected signs and under canopy signs must provide a minimum 7'6" clearance from sidewalk
Greater than 300	3	Parapet signs, canopy, wall, under canopy and freestanding	Maximum of 10% of square footage of building facade	Freestanding sign height shall not exceed 8 feet and building sign shall not extend above the roofline. Projected signs and under canopy signs

				must provide a minimum 7'6" clearance from sidewalk
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B. Retail Or Mixed Use Centers:

1. One freestanding monument sign shall be permitted for each street frontage of each center, subject to architectural design review and permitting under OMC 13-6-7 and OMC 13-7-11. The maximum sign area permitted is one hundred sixty (160) square feet for the total of all faces, and no one face shall exceed eighty (80) square feet. The maximum height of a monument sign shall be eight feet (8').

2. A maximum of thirty (30) square feet of sign area shall be permitted for each individual establishment in a center, subject to architectural design review and permitting under OMC 13-6-7 and 13-7-11. No combination of signs shall exceed ten percent (10%) of the facade to which they are attached.

C. Other Permitted Permanent Signs:

1. Permanent Residential Development Signs: One sign at each entrance into the development from each abutting street is permitted, subject to architectural design review and permitting under OMC 13-6-7 and 13-7-11. The sign may be a single sign with two (2) faces of equal size or may be two (2) single faced structures of equal size located on each side of the entrance. Sign faces shall not exceed thirty-two (32) square feet in area. Signs may be externally illuminated.

a. Development signs shall be maintained perpetually by the developer, the owner of the sign, the homeowners' association, or some other entity who is authorized in accordance with the permit.

D. Projected and Under Canopy Permanent Signs: Projected and under canopy signs are subject to architectural design review and permitting under OMC 13-6-7 and 13-7-11. A projected sign or under canopy sign may encroach within, upon or over the public right of way, including any public sidewalk, provided that, such sign meets the requirements of this Chapter, the proposed sign is designed and constructed so as not to interfere with the sight distance of, or otherwise present a hazard to, motorists proceeding on or approaching on adjacent streets, alleys, driveways, or parking areas, or of pedestrians proceeding on or approaching on adjacent sidewalks or pedestrian ways, and the sign meets the provisions of OMC 13-7-8.

13-7-10 SIGN VARIANCES:

Any person, business or entity seeking to utilize a sign that is not permitted pursuant to the regulations stated in this Chapter may seek a variance from these regulations. The planning commission reviews sign variance applications and determines if the variances are to be granted using the following criteria:

A. The granting of the sign variance would not be materially detrimental to the property owners in the vicinity, and the variance sought is of minimum sign size, height, and scope to meet the conditions and needs of the applicant;

B. The granting of the variance would not be contrary to the objectives of this Chapter and section 13-6-7 of this title;

C. The signage of the property in question cannot be adequately met under the literal interpretation and strict application of this Chapter; and

D. The granting of the variance is necessary because of special circumstances relating to property location, topography, shape, size, sight distance, and limited view to property.

13-7-11 NONCONFORMING SIGNS:

A. For the purpose of this section, a "nonconforming sign" shall be defined as a sign that meets the following criteria:

1. The sign was lawfully erected as evidenced by prior approval by the Planning Commission; and
2. The sign existed prior to the adoption and/or relevant amendment of these regulations, in the same location affixed in a permanent manner to the ground or the building without modification other than routine maintenance and repair; and
3. The sign is associated with an existing and operating business or activity; and
4. The sign fails to meet one (1) or more requirements of this Chapter.

B. All on site and off-site nonconforming signs not otherwise prohibited by the provisions of this Chapter, installed prior to the year 2000, shall be removed or altered to conform to the provisions of this Chapter when:

1. The nonconforming sign is of a temporary nature;
2. The nature of the business conducted on the premises changes and the sign is changed or modified either in shape, size, or legend;
3. The name of the business changes and the sign is changed or modified either in shape, size, or legend; or
4. The business is discontinued. In this event, the sign(s) and supporting structure(s) shall be removed by the property owner. If said sign(s) is not removed within the specified time period, the City may remove the sign and file a lien against the property to cover costs associated with said removal.

C. Nonconforming signs may not be enlarged or altered in a way which would increase nonconformity.

D. Should any nonconforming sign be damaged by any means to an extent of more than fifty percent (50%) of its replacement cost at time of damage, it shall not be reconstructed except in conformity with the provisions of this Chapter.

E. A nonconforming sign as defined by this section shall be deemed lawful subject to all requirements of this Chapter and this title with the following exceptions: (1) the requirement to obtain a sign installation permit; and (2) enforcement by the City for exceeding or violating limitations on size, shape, location or design imposed by this title.

13-7-12 ABATEMENT OF ILLEGAL SIGNS:

A. Public Nuisance Declared: Any sign that violates the provisions of this Chapter shall be deemed a public nuisance, and shall be abated in accordance with OMC 5-1-7, subject to the following:

1. If the sign is located on private property, the City shall notify the property owner of the existence of the public nuisance and shall direct the owner to remove the sign within ten (10) calendar days after the notice. Failure to remove the sign in accordance with the notice shall also constitute a civil violation, in accordance with OMC 1-13-6. The City shall be entitled to recover all costs of abatement from the property owner, including attorney's fees and costs pursuing abatement for continued violations.

2. The City may remove signs which violate the provisions of this Chapter and constitute a public nuisance from public rights of way and public property, at any time. The owner of the sign, if known, shall be given written notice that the sign shall be destroyed if it is not claimed within ten (10) days of the notice. Failure to remove the sign in accordance with the notice shall also constitute a civil violation, in accordance with OMC 1-13-6. The City shall be entitled to recover all costs of abatement from the property owner, including attorney's fees and costs pursuing abatement for continued violations.

13-7-13 LIABILITY OF CITY:

This Chapter shall not be construed to relieve from or lessen the responsibility of any person owning, building, altering, constructing, or moving any sign in the City for damages to anyone injured or damaged either to person or property by any defect therein; nor shall the City, or any agent thereof, be held as assuming such liability by reason of a permit or inspection authorized herein or a certificate of inspection issued by the City or any of its agents.

13-7-14 SEVERABILITY

Should any section, paragraph, sentence, clause or phrase of this Chapter, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Chapter be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Chapter or its application to other persons or circumstances.



**City Of Orting
Council Agenda Summary Sheet**

Subject: Design Build Advisory/Management Services for the New City of Orting Public Works Building		Committee	Study Session	Council
	Agenda Item #:		AB19-17	AB19-17
	For Agenda of:	2.6.19 PW	2.20.19	2.27.19
	Department:	Public Works		
	Date Submitted:	02/14/19		
	Cost of Item:	<u>\$37,035.00</u>		
Amount Budgeted:	<u>\$ 50,000</u>			
Unexpended Balance:	<u>\$ 12,965</u>			
Bars #:	412-594-38-41-01			
Timeline:				
Submitted By:	JC Hungerford, PE			
Fiscal Note:				
Attachments: Scope and Budget for professional services				
<p>SUMMARY STATEMENT: The City is currently in the process of starting construction on the new Public Works Building locating near the Orting Wastewater Treatment Plant and North End Reservoir on Rocky Road NE. This project is being delivered under a progressive design-build, with Washington Patriot Construction serving as the design-build contractor. Parametrix will provide advisory/management services for the City of Orting (owner). The City will remain the ultimate decision maker in the project with Parametrix providing day to day project management and document control.</p>				
<p>RECOMMENDED ACTION: Move Forward To The Consent Agenda Of The February 27th, 2019 Council Meeting.</p>				
<p>FUTURE MOTION: To Approve the scope and budget from Parametrix for Design Build Advisory/Management Services For the new Public Works Building in the amount of \$37,035.00.</p>				

SCOPE OF WORK

City of Orting Design Build (DB) Advisory/Management Services

PROJECT OVERVIEW

The City of Orting is currently in the process of starting construction on the new public works building located near the Orting Wastewater Treatment Plant and North End Reservoir on Rock Road NE. This new facility will service as an equipment storage area, maintenance yard and office for the City Public Works operations. This project is being delivered under a progressive design-build, with Washington Patriot Construction serving as the design-build contractor.

Under this scope of work, Parametrix will provide advisory/management services for the City of Orting (owner). The City of Orting will remain as the ultimate decision maker in the project, but Parametrix will provide day to day project management and document control

Task 01 – Project Management

Goal

To provide Project Management for the Owner that will include but it not limited to project oversight, resource management, budget management, and schedule tracking.

Assumption

- A 5-month project schedule is assumed with planned substantial completion on June 6, 2019.

Deliverable

- Project Schedule.
- Monthly Progress Reports and invoices.
- Project meeting agendas and minutes.

Task 02 – Advisory/Management Services

Goal

To manage the project by maintaining the performance and accountability of the Contractor on behalf of the City of Orting. In addition, provide oversight and recommended solutions to the City in order to maintain Project progress.

Approach

Parametrix will assist the City project team to help provide a public works facility consistent with the published Request for Proposal (RFP) documents while helping to manage scope, schedule and project quality.

SCOPE OF WORK (continued)

- Documentation Control – Manage all project documentation for the City. This includes project correspondence, site documentation, photos, materials tracking, submittals, record drawings, etc. Two copies of all documents will be made. One will be retained by Parametrix with all originals delivered to the City of Orting in organized file storage boxes.
- Communication Management: Parametrix will assist in managing communication between the City and Washington Patriot. This includes electronic communication (email), written communication and facilitation of conference calls as needed.
- Change Order Management – Review and assist in the tracking and approval of change orders.
- Request for Information (RFI) Management & Tracking – Review and assist in the tracking, review and response to RFIs. (Up to 10)
- Submittal Review & Tracking – Track, review and respond to up to (60) submittals provided by Washington Patriot Construction.
- Pay Estimate Review – Review and assist in the tracking and approval of up to 6 pay estimates.
- Periodic Inspection/Observation – Parametrix will provide up to 4 hours per week of construction observation following the weekly meeting.
- Weekly Construction Meeting attendance – Parametrix will attend the weekly meeting facilitated by Washington Patriot Construction.
- Site Progress Photos – Parametrix will capture photos while onsite to provide updates on site progress
- Project closeout – Assist the City with punch list walkthroughs, production of up one punch list, and final inspection.

Assumptions:

- Parametrix will not be inspection for building code violations/compliance. Parametrix will provide observation services for general conformance with the Project Specifications provided in the RFP.
- This scope does not provide full time observation



**City Of Orting
Council Agenda Summary Sheet**

Subject: Hillside Mower Purchase		Committee	Study Session	Council
	Agenda Item #:	N/A	AB19-18	AB19-18
	For Agenda of:	2.6.19 PW	2.20.19	2.27.19
	Department:	Public Works		
	Date Submitted:	2.13.19		
Cost of Item:	<u>\$ 51,005.67</u>			
Amount Budgeted:	<u>\$ 57,600.00</u>			
Unexpended Balance:	<u>\$ 6,594.33</u>			
Bars #:	Multiple			
Timeline:	N/A			
Submitted By:	Greg Reed			
Fiscal Note:				
Attachments: RFP				
SUMMARY STATEMENT:				
<p>The Public Works Department completed an RFP process for a Hillside Mower as outlined in the 2019 Budget. A hillside mower will allow the City to mow areas that previously required weed whacking like roadside ditches and the slopes around our stormwater ponds.</p> <p>One vendor responded the RFP request, and the bid came in about \$6,500 under the budgeted amount. Staff have reviewed the bid and it meets the specifications laid out by the City. Staff recommends that the Council accept the bid and approve the purchase of the hillside mower.</p>				
RECOMMENDED ACTION: MOTION: Move To Consent Agenda For The February 27 th , 2019 Council Meeting.				
FUTURE MOTION: To Approve The Bid From Turf Star Western In The Amount Of \$51,005.67 For The Purchase Of A Hillside Mower.				

CITY OF ORTING

Vendor Proposal

110 Train St SE
lhinds@cityoforting.org
Orting, WA 98360

(360) 893-2219 x139

Contractor/Vendor Name: Turf Star Western Equipment
Address: 5869 South 194th Street
Kent | Washington | 98032
Telephone: 360.296.8668

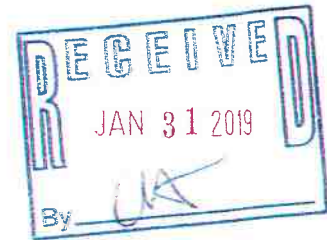
Project No.: **PW2019-01**
Budget Item: W/WW/SW
Asset Type: **Hillside Mower**

REQUEST FOR PROPOSAL

Proposal Submittal Date, Time & Location:
Friday, February 1, 2019 / 10:00 a.m.

Email Questions to:

greed@cityoforting.org
lhinds@cityoforting.org



Mail Proposals To:
City of Orting
PO Box 489
Orting, WA 98360

Hand Carry Proposals To:
City of Orting
110 Train St SE
Orting, WA 98360

Mark Envelope:
Hillside Mower
Attn: Laura Hinds

CITY OF ORTING

Vendor Proposal

110 Train St SE
lhinds@cityoforting.org
Orting, WA 98360

(360) 893-2219 x139

HILLSIDE MOWER BID SPECS

Orting Public Works Department is looking for a safer solution to mowing slopes, while keeping the operator and the engine upright on hills. The mower needs to perform quality cuts in ditches and rough terrain with greater comfort and control to decrease rollover risk.

Engine

Specifications or Comparable:	Yes	No
• 30.2 HP @ 3,000 RPM gross rating (minimum)	x	
• Yanmar Liquid cooled diesel engine – 61.9 ft lb torque	x	
• Industrial use rating	x	
• 3 Cylinder with turf radiator	x	

Gauges

Specifications or Comparable:	Yes	No
• Engine oil pressure and temperature	x	
• Hydraulic Oil shut-down protection	x	
• Volt and hour meters	x	
• Water Temperature and Fuel Level	x	

Electrical

Specifications or Comparable:	Yes	No
• 12 Volt, 45 Amp electrical system	x	

Transmission

Specifications or Comparable:	Yes	No
• Oilgear Hydrostatic transmission, Parker wheel motors	x	
• Foot operated speed control – self centering to neutral	x	
• Hydraulic Filter, 10 micron with indicator	x	

Stabilization & Leveling

Specifications or Comparable:	Yes	No
• Automatic hydraulic self-leveling to 34 degrees with manual override mounted on arm rest	x	

CITY OF ORTING

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