

ORDINANCE NO. _____

AN ORDINANCE adding a new Chapter 12.42 to the Camas Municipal Code relating to relocation assistance pursuant to Chapter 8.26 RCW and Chapter 468-100 WAC.

The Council of the City of Camas do ordain as follows:

Section I

A new Chapter 12.42 of the Camas Municipal Code, entitled Relocation Assistance is hereby adopted as follows:

Chapter 12.42 Relocation Assistance

12.42.010 Purpose.

The purpose of this chapter is to establish a uniform policy for the fair and equitable treatment of persons displaced as a result of the public works programs of the City of Camas. In addition, this chapter is intended to encourage and expedite the acquisition of real property for public works projects by agreement to reduce litigation and to assure consistent treatment of those affected by public works projects. Nothing in this chapter may be construed as creating in any condemnation proceeding brought under the power of eminent domain any element of value or damage separate and distinct from a real property interest.

12.42.020 Relocation assistance.

The city adopts Chapter 468-100 WAC as adopted or hereafter amended to govern the procedures for relocation services in the event a Camas public works project or program will result in the displacement of persons.

12.42.030 Authorizing the city administrator to develop guidelines.

The City Administrator or designee is hereby authorized to take all necessary steps to create additional guidelines as may be needed to provide relocation assistance consistent with Chapter 8.26 RCW and Chapter 468-100 WAC.

12.42.040 Relocation assistance appeals.

A. Any person who believes that the city has failed to properly determine the person's eligibility for, or the amount of, a payment required under WAC 468-100-105 or RCW 8.26.200, or a relocation payment under Chapter 8.26 RCW or Chapter 468-100 WAC, may file a request for reconsideration within sixty days following a written determination of relocation benefits. The request must be in writing to the Director of Public Works and contain the information contained in subsection B of this section.

B. All requests for reconsideration and appeals under this section shall be in writing, but no specific form is required and the reconsideration or appeal shall be considered regardless of form. The notice or letter shall state what issues are being claimed, the reasons why the aggrieved person believes the

claim should be allowed, and how the person believes he or she is otherwise aggrieved. The letter or notice shall clearly identify the city project and parcel of real property involved and shall bear the signature and address of the aggrieved person or the person's authorized representative.

C. The Director of Public Works shall make a decision on the reconsideration request within thirty days of receipt of the written request.

D. Any person may appeal the written determination of relocation benefits or the director's reconsideration decision to the city's Hearing Examiner, subject to payment of an appeal fee per the City's fee schedule or as may be adopted by resolution. The appeal must be made in writing within sixty days of the receipt of the written determination of relocation benefits (if reconsideration not requested) or within sixty days of the written reconsideration decision (if reconsideration is requested). The Hearing Examiner may refuse to schedule any hearing on an appeal until receipt of all information set forth in subsection B of this section or may issue an order providing for dismissal of such appeal upon failure of the appellant to comply with subsection B of this section within fourteen calendar days of a request by the city for the required information.

E. Failure to file an appeal in a timely manner shall be a bar to consideration of the appeal by the hearing examiner.

F. The city shall permit a person to inspect and copy all materials pertinent to the person's appeal, except materials which are classified as confidential by the city and that are exempt from disclosure under the Public Records Act, Chapter 42.56 RCW. The city may, however, impose reasonable conditions on the person's right to inspect, consistent with applicable laws.

G. Hearings shall be conducted using the procedures set forth in Camas Municipal Code Chapter 2.15. The Hearing Examiner may adopt additional rules of procedure to govern matters not covered by this chapter.

Section II

This Ordinance shall take force and be in effect five (5) days from and after its publication according to law.

PASSED BY the Council and APPROVED by the Mayor this ____ day _____,
2020.

SIGNED: _____
Mayor

ATTEST: _____
Clerk

APPROVED as to form:

Ordinance No. _____

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City Attorney