

CITY OF MAPLE VALLEY, WASHINGTON

ORDINANCE NO. O-12-486

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLE VALLEY, WASHINGTON, AMENDING CHAPTER 2.50 MAPLE VALLEY MUNICIPAL CODE, DISCLOSURE OF PUBLIC RECORDS, AND ESTABLISHING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Ch.42.56 RCW, Public Records Act, and Ch. 44-14 WAC establish a framework by which local government shall provide access to public records, protect public records from damage or disorganization, and assist requesters who seek access to public records; and

WHEREAS, the City Council fully supports the policies and requirements of Ch. 42.56 RCW which promote full disclosure of documents maintained by a City unless the documents are specifically exempt from disclosure and desires to amend Ch. 2.50 MVMC to better support those policies and requirements;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MAPLE VALLEY, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 2.50 MVMC is hereby amended as follows:

Sections:

2.50.010 General policy; procedures to request public records.

2.50.015 Public records officer designated; Contact information; Records request form.

2.50.020 Disclosure of public records.

2.50.030 Definitions

2.50.040 Maintenance of records by Clerk's Office; Limited index; Findings and order that all-inclusive index is unduly burdensome.

2.50.050 Exemptions.

2.50.060 Response to records request.

2.50.070 Reimbursement for copying costs.

2.50.080 Decision on public records requests; procedure for review of decision; final action for purposes of judicial review.

2.50.090 Disclosure prohibited by other statutes.

2.50.100 Administrative rules.

2.50.010 General policy; procedures to request public records.

A. This Chapter constitutes the City of Maple Valley's Rules of Procedure for compliance with the Public Records Act, Ch. 42.56 RCW, incorporated herein by reference as if fully set

forth. The City's Rules of Procedure may be supplemented from time to time by administrative rules issued by the City Manager.

B. The City's policy is to promptly respond to requests for public records and to provide the fullest assistance to requesters. In order to facilitate a prompt response, requesters should submit a request in writing using the City's form, or via letter, email, or fax. The City cannot guarantee that a verbal request for records will be interpreted as a request for public records. Requesters should make a reasonable effort to identify or describe the records being sought by topic or subject matter, and including, for example a date (if known), or a date range.

C. Public records are generally available for inspection and copying Monday through Friday, from 8:00 A.M. to 5:00 P.M., excluding legal holidays. A requester that seeks to inspect nonexempt records rather than to receive copies of records will be allowed to do so under supervision, to prevent removal, destruction or disorganization of records. Requesters are prohibited from removing records from City offices. The City shall make its facilities available to any person for the copying of public records except when and to the extent doing so would unreasonably disrupt the operations of the City. Requesters are prohibited from utilizing computers issued to City staff to inspect public records, unless the City determines to provide a designated public computer for that purpose.

1. An unreasonable disruption of the operations of the City occurs if a request for records is large and would require use of city equipment for extended periods of time and thereby disrupt the ability of City staff to utilize that same equipment for the regular conduct of City business. An unreasonable disruption of the operations of the City occurs if a requester would need access to City equipment that is located within City facilities that are otherwise not available to the public. The City Clerk shall have discretion to determine whether providing access to City equipment for copying records would unreasonably disrupt the operations of the City, and if so, how to reasonably accommodate the requester. Any use of the City's equipment requires payment according to the fees established in this chapter, whether the use of the equipment is by City staff on behalf of a requester, or by the requester.

D. The City is not required by this chapter or the Public Records Act to create records in response to a records request; but, rather, is required to make a good faith and objectively reasonable search for identifiable public records.

E. The City may release records responsive to a request in installments. A decision to release records in installments may be made by the City Clerk if the request is for a large number of documents or when a portion of responsive records is more readily available than others. The City shall require a requester to make payment in full of each installment before City staff continue to process any subsequent installment. The City may require a requester to make

payment of a deposit of ten percent (10%) of the estimated cost of the entire response prior to the City beginning a large copying project on behalf of a requester.

F. If, within thirty (30) days, a requester fails to inspect records retrieved in response to a request, or to pick up, inspect, and/or pay for an installment after being notified that an installment is ready for pick up or inspection, the City Clerk may discontinue the search for any remaining responsive records and close the request.

G. When the search for records has been completed, the City Clerk may provide notification to the requester that the search is considered complete and that the City intends to close the request.

H. If, after the City has informed the requester that it has provided responsive records, the City becomes aware of additional responsive records existing at the time of the request it will promptly inform the requester of the additional documents and provide them as soon as possible. However, a public records request is not continuing in nature. If a requester desires additional records created or obtained by the City after the date of the original request, the requester must submit a new request.

I. The City is prohibited from disclosing a list of individuals for commercial purposes.

J. The City archives records that are inactive but are still within their retention period. Inactive, but archived records may be stored off-site. The City retains active records on-site. Records that have met their retention period are destroyed. If the records are determined to be of legal and/or historic value and must permanently retained, such records will be micro-filmed and/or digitized and transferred into the keeping of the State Archivist.

K. If the City receives a request for records that are scheduled for destruction the City shall not destroy the record until the request is fulfilled.

L. When a requester requests records in an electronic format, the City Clerk will provide the nonexempt records or portions of such records that are reasonably locatable in an electronic format that is used by the City and is generally commercially available, or in a format that is reasonably translatable from the format in which the City keeps the record. The City is not required to provide redacted records electronically.

2.50.015 Public records officer designated; contact information; records request form.

A. The City Clerk is the designated public records officer for the City of Maple Valley. The City Clerk will oversee compliance with the Public Records Act and this chapter. The City Clerk may delegate the responsibilities of processing records requests to other staff.

B. The City Clerk may be contacted Monday through Friday, 8:00 A.M. to 5:00 P.M., at 22017 SE Wax Road, Maple Valley, WA 98038, (425) 413-8800.

C. A requester may use the City's form to request public records, located at: <http://www.maplevalleywa.gov/Modules/ShowDocument.aspx?documentid=131> or <http://www.maplevalleywa.gov/records>

This request form may be submitted electronically as an email attachment, or may be faxed to: (425) 413-4282, or may be mailed to the address in subsection B, above, or may be personally delivered.

2.50.020 Disclosure of public records.

Unless exempt from disclosure in whole or in part, public records shall be available for inspection and copying subject to Section 2.50.010.C. The City reserves the right to respond to a request for public records within five (5) business days of receipt of a request.

2.50.030 Definitions.

A. "Public record" means any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by the City regardless of physical form or characteristics.

B. "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated.

2.50.040 Maintenance of Records by Clerk's Office; limited index; findings and order that all-inclusive index is unduly burdensome.

A. All City departments are responsible for maintaining records consistent with the State Archivist's guidelines. The City Clerk maintains a limited index consisting of: ordinances and resolutions of the City Council; City Council agenda materials; minutes of: City Council study sessions, regular and special meetings of the City Council; agenda materials of all City Council appointed advisory boards and commissions; minutes of the regular meetings of advisory boards and commissions; and all contracts, franchises, deeds, easements, and leases.

B. Findings. RCW 42.56.070(4) provides that an agency need not maintain the index required by RCW 42.56.070(3) if to do so would be unduly burdensome, but it must issue and publish a formal order specifying the reasons why and the extent to which compliance would be unduly burdensome or would interfere with agency operations. Because the City is comprised of numerous departments, their divisions and subdivisions, many if not all of which maintain separate databases and/or systems for the indexing of public records, and because each department, its divisions and subdivisions maintain records which are diverse

and specific to each department, and because the various departments within the City have not historically maintained the type of index described in RCW 42.56.070(3), the City Council finds it would be unduly burdensome, if not physically impossible, to create or maintain either a historical or a current index of all the City's public records existing since the date of incorporation.

C. Order. Based on the findings in subsection B., above, the City Council orders the following: that except for the records described in subsection A., above, no City department is required to create an all-inclusive index of records as required by RCW 42.56.070(3) because it is unduly burdensome and because the near-impossibility of creating and maintaining such an index would interfere with City operations. To the extent any department maintains an index of records such indexes shall be made available for inspection and copying.

2.50.050 Exemptions.

A. The following shall be exempt from public inspection and copying:

1. All public records that fall within the exemptions set forth in Ch. 42.56 RCW; and
2. Any other public record which is exempt from disclosure under other state or federal law.

B. The exemptions from public disclosure set forth in this section shall be inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital governmental interests, can be deleted from the specific records sought. No exemption shall be construed to permit the nondisclosure of statistical information not descriptive of any readily identifiable person or persons.

C. Inspection or copying of any specific records exempt under this section may be permitted if the King County Superior Court finds, after a hearing with notice thereof to every person interested and to the City, that the exemption of such records is clearly unnecessary to protect any individual's right of privacy or any vital governmental function. D. Appendix A to Ordinance O-12-486 contains a list of every law the City believes exempts or prohibits disclosure of specific information or records of the City. By providing this list, the City does not represent that every possible state or federal law has been included therein, and the City reserves the right to exempt any record, or part thereof from disclosure according to any applicable state or federal law whether currently existing and not appearing on Appendix A, or according to any later-enacted state or federal law.

* Appendix A to Ordinance O-12-486 can be obtained from the City Clerk or at <http://www.maplevalleywa.gov/index.aspx?page=56>

2.50.060 Response to records request.

A. Persons wishing to inspect or copy City records shall first make such request to the City Clerk or to the City department which maintains the requested records. If the requester does not know which department maintains the records, the request shall be made to the City Clerk. The fullest assistance shall be provided promptly either by the City Clerk or by the particular department maintaining the records. The provision of such assistance shall not unreasonably disrupt the normal operations of the City Clerk, the department, or the assisting employee.

B. The City Clerk or other City employee shall not distinguish among persons requesting records. Persons requesting records shall not be required to provide information as to the purpose for the request, except to establish whether the inspection or copying would violate RCW 42.56.270(9) or other statute or ordinance which exempts or prohibits disclosure of specific information or records to certain persons.

C. To the extent possible, and consistent with Ch. 42.56 RCW, the City shall promptly respond to a request for records.

D. Within five business days of the date of receipt by the City of a written request for a record, the City Clerk shall:

1. Provide the record; or provide an internet address and link on the City's web site to the specific records requested, except that if the requester notifies the City that he or she cannot access the records through the internet, the City shall provide copies of the record;

2. Acknowledge that the City has received the request and provide a reasonable estimate of the time the City will require to respond to the request. Additional time requires to respond to a request may be based upon the need to clarify the intent of the request, to locate and assemble the information requests, to notify third persons or agencies affected by the request, or to determine whether any of the information is exempt and that a denial should be made as to all or part of the request. In acknowledging receipt of a public record request that is unclear, the City may ask the requestor to clarify what information the requestor is seeking. If the requestor fails to clarify the request, the City need not respond to it.

3. Deny the public record request. Denials of requests shall be accompanied by a written statement of the specific reasons for denial.

E. If the City Clerk determines that the document is exempt in part, but can be made available after redaction of exempt portions, the request shall be granted; provided that such exempt portions shall first be redacted. All documents redacted as exempt shall be

accompanied by an exemption log that provides a brief description of the document, and the legal reason justifying redaction of the record.

2.50.070 Reimbursement for copying costs.

A. Copies of written records, maps, photographs including slides, audio tape recordings, video tape recordings, and disks shall be made and provided by the City upon request and payment of the actual cost of reproducing the same, including labor and mailing costs. Items that are copied by an outside vendor shall be subject to the vendor cost plus any mailing charges. The City may provide an internet address and link on the City's web site to the specific records requested. If a requester notifies the City that he or she cannot access records through the internet, the City shall provide copies of records sought by the requestor, shall make original records available to the requester, or may allow a requester to view copies of records using a designated public computer.

B. Fees. The following fee schedule shall be applied to the provision and copying of public records:

City Council, Board, Committee, Commission Agendas	No Charge
Preliminary Annual Budget	No Charge
Materials copied on the copier on letter, legal, or ledger size paper (includes agenda packet materials, ordinances, resolutions, public meeting minutes, contracts, etc.)	\$0.15 per page
Audio Recording Tapes	\$10.00 per audio tape
CD Disc	\$1.50 per disc
DVD Disc	\$1.50 per disc
Verbatim Transcripts (\$100.00 deposit when ordered)	actual cost
Zoning Map (11" x 14")	\$1.50
Plat Map (2' x 3')	\$2.00
Large City Map (2' x 4')	\$6.00

GIS Aerial Mapping (11" x 17")	\$6.00
City Clerk Certification of Documents	\$1.00 per page

C. Where the request is for a certified copy, there shall be an additional charge as noted in subsection (B) of this section to cover the additional expense and time required for certification.

D. The City Clerk may provide copies of City records at no charge to individuals or government agencies doing business with the City, if the City Clerk determines such action is in the best interest of the City.

2.50.080 Decision on public records requests; procedure for review of decision; final action for purposes of judicial review.

A decision by the City Clerk denying inspection or copying of records in whole or in part shall be promptly reviewed by the City Attorney. Such review shall be deemed complete at the end of the second business day following the denial of inspection or copying in whole or in part and shall constitute final City action for the purposes of judicial review. The requester shall be notified by mail of the decision to grant or deny the request.

2.50.090 Disclosure prohibited by other statutes.

The City shall not be required by this chapter to permit public inspection and copying of any record to the extent public disclosure of the record is prohibited, restricted or limited by any State or federal statute or regulation including or by case law, including but not limited to, Chapter 10.97 RCW, the Washington State Criminal Records Privacy Act, Chapter 13.50 RCW, relating to release of records by juvenile justice or care agencies, or Chapter 46.52 RCW, relating to accident reports and abandoned vehicles.

2.50.100 Administrative rules.

The City Manager may issue administrative rules for the implementation of this chapter.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. A summary of this ordinance shall be published in the official newspaper of the City. This ordinance shall be effective five days after its passage and publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF
THE 23rd DAY OF JANUARY, 2012.

William T. Allison, Mayor

ATTEST:

Shaunna Lee-Rice, City Clerk

APPROVED AS TO FORM:

Christy A. Todd, City Attorney

Date of Publication: February 7, 2012

Effective Date: February 12, 2012

Appendix A to Ordinance O-12-486

Exemption and Prohibition Statutes Not Listed in Chapter 42.56 RCW

RCW 42.56.070(2):

For informational purposes, each agency shall publish and maintain a current list containing every law, other than those listed in this chapter, that the agency believes exempts or prohibits disclosure of specific information or records of the agency. An agency's failure to list an exemption shall not affect the efficacy of any exemption.

MRSC will keep updating this list on our web site. If you become aware of additions or corrections that should be made to the list, please notify one of the staff attorneys at MRSC. Some of the exemptions and prohibitions on the list concern public record information that may not be relevant for your jurisdiction. For instance, cities would not normally have records regarding marriage license applications or adoption records.

Washington State Statutes

Citation	Records
RCW 2.64.111	Documents regarding discipline/retirement of judges
RCW 2.64.113	Confidentiality - violations
RCW 4.24.550	Information on sex offenders
RCW 5.60.060	Privileged communications
RCW 5.60.070	Court-ordered mediation records
RCW 7.68.140	Victims' compensation claims
RCW 7.69A.030(4)	Child victims and witnesses – protection of identity
RCW 7.69A.050	Rights of child victims and witnesses – addresses
RCW 7.75.050	Records of Dispute Resolution Centers
RCW 9.51.050	Disclosing transaction of grand jury
RCW 9.51.060	Disclosure of grand jury deposition
RCW 9.02.100	Reproductive privacy
RCW 9A.82.170	Financial institution records – wrongful disclosure
RCW 10.27.090	Grand jury testimony/evidence

Citation	Records
RCW 10.27.160	Grand jury reports – release to public only by judicial order
RCW 10.29.030	Organized crime special inquiry judge
RCW 10.29.090	Records of special inquiry judge proceedings
RCW 10.52.100	Records identifying child victim of sexual assault
RCW 10.77.210	Records of persons committed for criminal insanity
RCW 10.97.040	Criminal history information released must include disposition
RCW 10.97.050	Conviction and criminal history information
RCW 10.97.060	Deletion of certain criminal history record information, conditions
RCW 10.97.070	Disclosure of identity of suspect to victim
RCW 10.97.080	Inspection of criminal record by subject
RCW 13.32A.090	Crisis residential centers notice to parent about child
RCW 13.34.115	Court dependency proceedings
RCW 13.40.217	Juveniles adjudicated of sex offenses – release of information
RCW 13.50.010	Maintenance of and access to juvenile records
RCW 13.50.050	Juvenile offenders
RCW 13.50.100	Juvenile/children records not relating to offenses
RCW 13.60.020	Missing children information
RCW 13.70.090	Citizen juvenile review board – confidentiality
RCW 18.04.405	Confidentiality of information gained by CPA
RCW 18.19.060	Notification to clients by counselors
RCW 18.19.180	Confidential communications with counselors
RCW 19.215.020	Destruction of personal health and financial information
RCW 19.34.240(3)	Private digital signature keys
RCW 19.215.030	Compliance with federal rules
RCW 26.04.175	Name and address of domestic violence victim in marriage records
RCW 26.12.170	Reports of child abuse/neglect with courts

Citation	Records
RCW 26.23.050	Child support orders
RCW 26.23.120	Child support records
RCW 26.26.041	Uniform Parentage Act – protection of participants
RCW 26.26.450	Confidentiality of genetic testing
RCW 26.33.330	Sealed court adoption records
RCW 26.33.340	Agency adoption records
RCW 26.33.343	Access to adoption records by confidential intermediary
RCW 26.33.345	Release of name of court for adoption or relinquishment
RCW 26.33.380	Adoption – identity of birth parents confidential
RCW 26.44.010	Privacy of reports on child abuse and neglect
RCW 26.44.020(19)	Unfounded allegations of child abuse or neglect
RCW 26.44.030	Reports of child abuse/neglect
RCW 26.44.125	Right to review and amend abuse finding – confidentiality
RCW 27.53.070	Records identifying the location of archaeological sites
RCW 29A.08.720	Voter registration records – place of registration confidential
RCW 29A.08.710	Voter registration records – certain information exempt
Chapter 40.14 RCW	Preservation and destruction of public records
RCW 42.23.070(4)	Municipal officer disclosure of confidential information prohibited
RCW 42.41.030(7)	Identity of local government whistleblower
RCW 42.41.045	Non-disclosure of protected information (whistleblower)
RCW 46.52.080	Traffic accident reports – confidentiality
RCW 46.52.083	Traffic accident reports – available to interested parties
RCW 46.52.120	Traffic crimes and infractions – confidential use by police and courts
RCW 46.52.130(2)	Abstract of driving record
RCW 48.62.101	Local government insurance transactions – access to information
RCW 50.13.060	Access to employment security records by local government agencies

Citation	Records
RCW 50.13.100	Disclosure of non-identifiable information or with consent
RCW 51.28.070	Worker's compensation records
RCW 51.36.060	Physician information on injured workers
RCW 60.70.040	No duty to disclose record of common law lien
RCW 68.50.105	Autopsy reports
RCW 68.50.320	Dental identification records – available to law enforcement agencies
Chapter 70.02 RCW	Medical records – access and disclosure – entire chapter (HC providers)
RCW 70.05.170	Child mortality reviews by local health departments
RCW 70.24.022	Public health agency information regarding sexually transmitted disease investigations - confidential
RCW 70.24.024	Transcripts and records of hearings regarding sexually transmitted diseases
RCW 70.24.105	HIV/STD records
RCW 70.28.020	Local health department TB records – confidential
RCW 70.48.100	Jail records and booking photos
RCW 70.58.055	Birth certificates – certain information confidential
RCW 70.58.104	Vital records, research confidentiality safeguards
RCW 70.94.205	Washington Clean Air Act – confidentiality of data.
RCW 70.96A.150	Alcohol and drug abuse treatment programs
RCW 70.123.075	Client records of domestic violence programs
RCW 70.125.065	Records of rape crisis centers in discovery
RCW 71.05.390	Information about mental health consumers
RCW 71.05.395	Ch. 70.02 RCW applies to mental health records
RCW 71.05.400	Information to next of kin or representative
RCW 71.05.425	Notice of release or transfer of committed person after offense dismissal
RCW 71.05.427	Information that can be released

Citation	Records
RCW 71.05.430	Statistical data
RCW 71.05.440	Penalties for unauthorized release of information
RCW 71.05.445	Release of mental health information to Dept. of Corrections
RCW 71.05.620	Authorization requirements and access to court records
RCW 71.05.630	Release of mental health treatment records
RCW 71.05.640	Access to treatment records
RCW 71.05.650	Accounting of disclosures
RCW 71.24.035(5)(g)	Mental health information system – state, county and regional support networks – confidentiality of client records
RCW 71.34.200	Mental health treatment of minors – records confidential
RCW 71.34.210	Court records for minors related to mental health treatment
RCW 71.34.225	Release of mental health services information
RCW 71A.14.070	Records regarding developmental disability – confidentiality
RCW 72.09.345	Notice to public about sex offenders
RCW 72.09.585(3)	Disclosure of inmate records to local agencies – confidentiality
RCW 73.04.030	Veterans discharge papers exemption (see related RCW 42.56.440)
RCW 74.04.060	Applicants and recipients of public assistance
RCW 74.04.520	Food stamp program confidentiality
RCW 74.09.900	Medical assistance
RCW 74.13.121	Financial information of adoptive parents
RCW 74.13.280	Children in out-of-home placements - confidentiality
RCW 74.20.280	Child support enforcement – local agency cooperation, information
RCW 74.34.095	Abuse of vulnerable adults - confidentiality of investigations and reports
RCW 82.32.330	Disclosure of tax information
RCW 84.36.389	Confidential income data in property tax records held by assessor
RCW 84.40.020	Confidential income data supplied to assessor regarding real property

Citation**Records****Selected Federal Confidentiality Statutes and Rules**

18 USC § 2721 - 2725	Driver and License Plate Information
20 USC § 1232g	Family Education Rights and Privacy Act
42 USC 290dd-2	Confidentiality of Substance Abuse Records
42 USC § 405(c)(2)(C)(viii)(I)	Limits on Use and Disclosure of Social Security Numbers.
42 USC 654(26)	State Plans for Child Support
42 USC 671(a)(8)	State Plans for Foster Care and Adoption Assistance
42 USC 1396a(7)	State Plans for Medical Assistance
7 CFR 272.1(c)	Food Stamp Applicants and Recipients
34 CFR 361.38	State Vocational Rehabilitation Services Programs
42 CFR Part 2 (2.1 - 2.67)	Confidentiality of Alcohol and Drug Abuse Patient Records
42 CFR 431.300 - 307	Safeguarding Information on Applicants and Recipients of Medical Assistance
42 CFR 483.420	Client Protections for Intermediate Care Facilities for the Mentally Retarded
42 CFR 5106a(b)(2)(A)	Grants to States for Child Abuse and Neglect Prevention and Treatment Programs
45 CFR 160-164	HIPAA Privacy Rule

Most Ordinances are codified in the [Maple Valley Municipal Code](#). * All Ordinances are located in the Ordinance Table. Please click on link to view.

City of Maple Valley City Council Resolutions are not published, please contact the City of Maple Valley City Clerk's office to review.

Office hours are Monday through Friday 8:00 a.m. to 5:00 p.m. except during observed holidays. To contact by phone please call 425-413-8800.

Order Regarding City Indexes

Order complying with 42.56.070(4), located in Ordinance O-12-486, Section 2.50.040 (C)

Based on the findings in subsection B., above, the City Council orders the following: that except for the records described in subsection A., above, no City department is required to create an all-inclusive index of records as required by RCW 42.56.070(3) because it is unduly burdensome and because the near-impossibility of creating and maintaining such an index would interfere with City operations. To the extent any department maintains an index of records such indexes shall be made available for inspection and copying.

Subsection A of Ordinance O-12-486, Section 4.50.040 provides the following in regards to indexes maintained by the City Clerk:

- Ordinances
- Resolutions of the City Council
- City Council agenda materials
- Minutes of City Council study sessions, regular and special meetings
- Agenda materials of all City Council appointed advisory boards and commissions
- Minutes of the regular meetings of advisory boards and commissions
- Contracts
- Deeds
- Easements
- Leases

City of Maple Valley's compliance with RCW 42.56.040, Duty to Publish Procedures

- a) The City's central office is located at City Hall, 22017 SE Wax Road, Suite 200, Maple Valley, Washington, 98038. A person may obtain information, make submittals or requests, and obtain copies of City decisions and other documents at this location from the City Clerk.
- b) City policy is established by the 7-member City Council, who has legislative authority to adopt ordinances (laws) and resolutions (general statements of policy that do not have the force of law). Most City ordinances are codified some time after adoption into the Maple Valley Municipal Code. The City Manager has executive authority to implement City policy as set forth in adopted ordinances, the municipal code, and City resolutions, as applicable. The City Manager has executive authority to adopt administrative rules, consistent with adopted ordinances, codes and resolutions that establish procedures necessary to implement adopted policy. The City Council has adopted Council Rules of Procedure by resolution. It is not possible to adequately set forth in this general description the "nature and requirements of all formal and informal procedures available" as required by RCW 42.56.040(b), therefore, City staff is available to answer questions from the public regarding such matters, or will respond to any formal requests for identifiable public records relating to such matters received from a requester.
- c) The City Council has adopted Rules of Procedure by Resolution. The City Hearing Examiner has adopted Rules of Procedure to govern matters scheduled for recommendation or action before the Hearing Examiner. The Maple Valley Parks and Recreation Commission has adopted Rules of Procedure to govern their meetings, actions and recommendations. The Planning Commission has adopted Rules of Procedure to govern their meetings, actions and recommendations.
- d) Substantive rules of general applicability are located in adopted City ordinances and the Maple Valley Municipal Code. Statements of general policy are located in adopted City resolutions. It is not possible to identify "interpretations of general applicability formulated and adopted by the [City]" as required by RCW 42.56.040(d), therefore, City staff is available to answer questions from the public regarding such matters, or will respond to any formal requests for identifiable public records relating to such matters received from a requester.
- e) Amendments/revision to the Maple Valley Municipal Code or repeal thereof are made by ordinance, duly adopted by the City Council. Amendments/revisions to resolutions or repeal thereof are made by a subsequent duly adopted resolution of the City Council.