

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING  
CHAPTER 6.56 SKAGIT COUNTY CODE**

**WHEREAS**, on October 3, 1955, the Skagit County Board of Commissioners passed Resolution No.: 1990, which was relied upon to establish Chapter 6.56 of the Skagit County Code; and

**WHEREAS**, on April 14, 1980, the Skagit County Board of Commissioners subsequently passed Resolution No.: 8392 and Resolution No.: 8393, activating the County Noxious Weed Control Board for Skagit County, and establishing five (5) geographical areas comprising the noxious weed districts of Skagit County, pursuant to RCW 17.10.; and

**WHEREAS**, in order to establish, update, define, and clarify certain terms, policies, and procedures pertaining to the Skagit County Noxious Weed Control Board, it is the recommendation of the Skagit County Director of Public Works that the Skagit County Board of Commissioners pass an ordinance appropriately amending Chapter 6.56 of the Skagit County Code; and

**WHEREAS**, in order to revise Chapter 6.56 of the Skagit County Code, it was necessary to hold a public hearing in accordance with RCW 36.32.120, and pursuant to Resolution # R2018\_\_\_\_\_, notice of said public hearing was provided, and a public hearing was held at the Commissioners' Hearing Room, 1800 Continental Place, Mount Vernon, Washington 98273, on April 10, 2018, at the hour of 8:30 a.m., or as soon thereafter as possible, for oral and written comments to be heard for or against the proposed Ordinance, and the Board has considered such comments.

**NOW, THEREFORE, BE IT ORDAINED** that the Board of County Commissioners hereby adopts amendments to chapter 6.56 Skagit County Code, as shown in **Exhibit 1** attached hereto, effective immediately.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

**BOARD OF COUNTY COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON**

\_\_\_\_\_  
Kenneth A. Dahlstedt, Chair

\_\_\_\_\_  
Lisa Janicki, Commissioner

\_\_\_\_\_  
Ron Wesen, Commissioner

Attest:

\_\_\_\_\_  
Clerk of the Board

Approved as to form:

\_\_\_\_\_  
Civil Deputy Prosecuting Attorney

Approved as to Content:

\_\_\_\_\_  
Department Head

## EXHIBIT 1

### Chapter 6.56 SKAGIT COUNTY NOXIOUS WEED CONTROL BOARD

#### Sections:

[6.56.010](#) Noxious Weed Control Board Established.

[6.56.020](#) Terms of Office.

[6.56.030](#) Vacancies.

[6.56.040](#) Officers - Meetings.

[6.56.050](#) Administration.

[6.56.060](#) Adoption of Rules.

[6.56.070](#) Compensation and Expenses.

[6.56.080](#) Noxious Weed Districts.

[6.56.900](#) Severability.

#### **6.56.010 Noxious Weed Control Board Established.**

Pursuant to chapter RCW [17.10](#), a county noxious weed control board, hereinafter referred to as the "Noxious Weed Board", has been duly activated and established. The Noxious Weed Board shall consist of five (5) voting members, appointed by resolution of the Skagit County Board of Commissioners. At least four (4) of the voting Noxious Weed Board members shall be engaged in the primary production of agricultural products. There shall be one (1) non-voting Noxious Weed Board member who shall be the chair of the county extension office or an extension agent appointed by the chair of the county extension office. The Skagit County Board of Commissioners shall divide the county into five (5) noxious weed districts, none of which shall overlap and each of which shall be of the same approximate area, and shall appoint a voting Noxious Weed Board member for each noxious weed district. (Ord.\_\_\_\_\_.)

#### **6.56.020 Terms of Office.**

The terms of office of members of the Noxious Weed Board shall be for four (4) years and until their successors are appointed. Each voting member shall be limited to serving a maximum of three (3) consecutive full terms. If necessary, upon enactment of this Chapter, for the purpose of establishing staggered terms, two (2) of the five (5) voting Noxious Weed Board members shall be reappointed to serve terms of two (2) years and three (3) voting members shall be reappointed to serve terms of four (4) years. Members of the Noxious Weed Board shall be appointed in accordance with RCW [17.10.050](#). (Ord.\_\_\_\_\_.)

#### **6.56.030 Vacancies.**

In case of a vacancy occurring in any voting member position on the Noxious Weed Board, the Skagit County Board of Commissioners shall appoint a qualified person recommended by the Noxious Weed Board to fill the vacancy for the unexpired term in the manner provided for in RCW [17.10.050](#). (Ord.\_\_\_\_\_.)

#### **6.56.040 Officers - Meetings.**

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As provided by RCW [17.10.050](#)(3), the Noxious Weed Board shall annually elect from its members, at its first regular meeting, a chair and a vice-chair. The Noxious Weed Coordinator shall be responsible for maintaining the minutes and other records of the Noxious Weed Board. Meetings of the Noxious Weed Board shall be open public meetings pursuant to RCW 42.30. The Noxious Weed Board shall meet with a quorum at least quarterly. (Ord.\_\_\_\_\_.)

#### **6.56.050 Administration.**

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(1) The Noxious Weed Board shall employ or otherwise provide a county noxious weed coordinator, hereafter referred to as the "Noxious Weed Coordinator," as a Skagit County employee or volunteer through the Skagit County personnel system, pursuant to RCW [17.10.060](#), with the Director of the Skagit County Public Works Department as acting as both the appointing authority and supervisor for the Noxious Weed Coordinator (subject to the approval of the Skagit County Board of Commissioners). The Noxious Weed Coordinator may be classified as full time or seasonal as determined by the Director of the Skagit County Public Works Department, in consultation with the Noxious Weed Board (and subject to the approval of the Skagit County Board of Commissioners). The Noxious Weed Coordinator shall be a Skagit County employee or volunteer, and shall comply with the Skagit County personnel policies. The Noxious Weed Coordinator shall be subject to the supervision of the Director of the Skagit County Public Works Department for all purposes, including authority regarding appointment, termination and/or employee discipline.

(2) The Noxious Weed Coordinator's duties shall include management of the annual noxious weed control program, including, but not limited to:

(a) Supervision of the inspection of land to determine the presence of noxious weeds;

(b) Preparation of the annual program and preliminary budget for review by the Noxious Weed Board and approval by the Skagit County Board of Commissioners;

(c) Management of the Noxious Weed Board's annual program of work.

(3) The Noxious Weed Coordinator will be responsible for meeting the fiscal and budgetary restraints recommended by the Noxious Weed Board and as set forth by the Skagit County Board of Commissioners. The Noxious Weed Coordinator will provide the Noxious Weed Board with a budgetary review of expenditures and balances at the regular meetings of the Noxious Weed Board.

(4) Subject to budgetary control by the Skagit County Board of Commissioners, the Noxious Weed Board may request that the Director of the Skagit County Public Works Department assign additional department employee(s) as the Noxious Weed Board deems necessary for the administration of the County's noxious weed control program. Such employee(s) shall be and remain Skagit County employee(s), and shall comply with the Skagit County personnel policies. While the Noxious Weed Board shall establish the annual noxious weed control program to be carried out by such Skagit County employee(s), such Skagit County employees shall be subject to the supervision of the Director of the Skagit County Public Works Department, or his/her designee for all purposes.

(5) Administrative support for the Noxious Weed Board shall be provided by the Skagit County Public Works Department. Subject to the limitations of budgetary appropriations, such administrative support provided by the Skagit County Public Works Department shall include, but not be limited to, office space, vehicles and equipment, as well as payroll, accounting, purchasing, procurement, bidding, grants administration, and all other necessary financial services.

#### **6.56.060 Adopt Rules.**

In accordance with RCW 17.10.060, the Noxious Weed Board may adopt such reasonable rules and regulations as may be necessary for an effective County noxious weed control or eradication program, subject to notice and hearing as provided in RCW [42.30](#), as now or hereafter amended; PROVIDED, that such rules and regulations must first be submitted to and approved by the Skagit County Board of Commissioners prior to becoming effective; and FURTHER PROVIDED, that such rules and regulations shall not be inconsistent with State law, Skagit County Code, and/or other applicable Skagit County policies, rules, and regulations. (Ord. \_\_\_\_\_.)

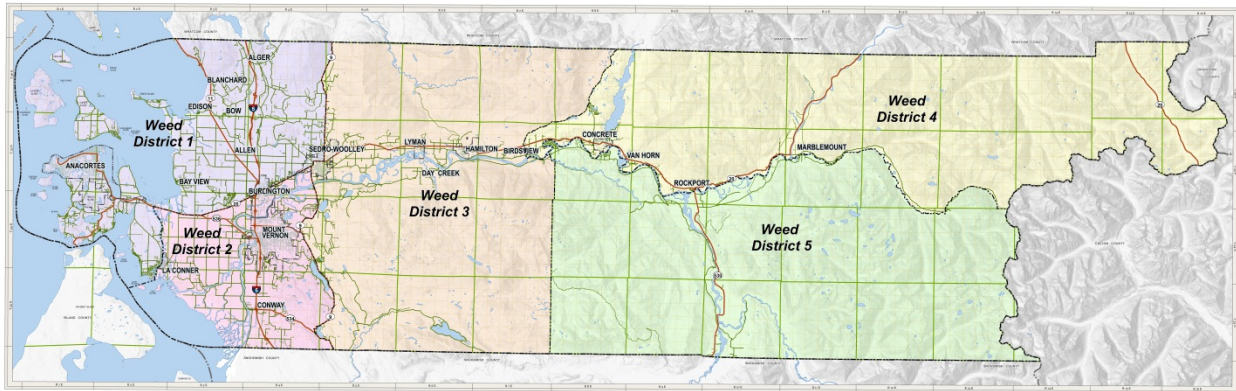
#### **6.56.070 Compensation and Expenses.**

The Noxious Weed Board members shall serve without a salary, but shall be compensated for actual and necessary expenses incurred in the performance of their official duties in accordance with RCW 17.10.050(1). (Ord. \_\_\_\_\_.)

## 6.56.080 Noxious Weed Districts.

For the purposes of SCC [6.56.010](#), the five (5) noxious weed districts are described as follows:

Situate in the County of Skagit, State of Washington:



### NOXIOUS WEED CONTROL DISTRICT NO. 1:

Beginning at the intersection of the North line of the Skagit County boundary and the centerline of State Route 9; Said intersection also being on the North line of Section 6, Township 36 North, Range 5 East, W.M.; Thence Southerly along the centerline of said State Route 9 to its intersection with the centerline of State Route 20; Thence Westerly along the centerline of said State Route 20 to its intersection with the medial line of the nautical fairway of Swinomish Channel; Said nautical fairway being delineated on NOAA Nautical Chart Number 18427, Anacortes to Skagit Bay, 24<sup>th</sup> Ed., May 2013; Thence Southerly and Southwesterly along said medial line and the Southwesterly extension thereof, to its intersection with the Southwestern boundary of Skagit County; Thence Northwesterly, Northerly and Easterly along the Skagit County boundary to the point of beginning.

### NOXIOUS WEED CONTROL DISTRICT NO. 2:

Beginning at the intersection of the centerline of State Route 9 with the centerline of State Route 20; Said intersection being located in the Southwest  $\frac{1}{4}$  of Section 24, Township 35 North, Range 4 East, W.M.; Thence Westerly along the centerline of said State Route 20 to its intersection with the medial line of the nautical fairway of Swinomish Channel; Said nautical fairway being delineated on NOAA Nautical Chart Number 18427, Anacortes to Skagit Bay, 24<sup>th</sup> Ed., May 2013; Thence Southerly and Southwesterly along said medial line and the Southwesterly extension thereof, to its intersection with the Southwestern boundary of Skagit County; Thence Southeasterly and Easterly along the Skagit County boundary to its intersection with the centerline of State Route 9; Said intersection also being on the South line of Section 32, Township 33 North, Range 5 East, W.M.; Thence Northerly along said centerline of State Route 9 to the point of beginning.

#### NOXIOUS WEED CONTROL DISTRICT NO. 3:

Beginning at the intersection of the Northern boundary of Skagit County and the centerline of State Route 9; Said intersection also being on the North line of Section 6, Township 36 North, Range 5 East, W.M.; Thence Southerly along the centerline of said State Route 9 to its intersection with the centerline of State Route 20; Thence Westerly along the centerline of said State Route 20 to its intersection with the centerline of State Route 9; Said intersection being located in the Southwest  $\frac{1}{4}$  of Section 24, Township 35 North, Range 4 East, W.M.; Thence Southerly along the centerline of State Route 9 to its intersection with the Southern boundary of Skagit County; Said intersection also being on the South line of Section 32, Township 33 North, Range 5 East, W.M.; Thence Easterly along the Southern boundary of Skagit County to its intersection with the East Range line of Range 7 East, W.M.; Said intersection also being the Southeast corner of Section 36, Township 33 North, Range 7 East, W.M.; Thence Northerly along said East Range line to its intersection with the medial line of Finney Creek; Thence Northwesterly along the medial line of Finney Creek to its intersection, if extended, with the medial line of the Skagit River; Thence Southwesterly along the medial line of the Skagit River to the medial line of Grandy Creek, if extended; Thence Northerly along the extension of the medial line of Grandy Creek, and the medial line of Grandy Creek, to its intersection with the centerline of State Route 20; Thence Westerly along the centerline of State Route 20, to its intersection with the centerline of Baker Lake Road; Thence Northwesterly along the centerline of Baker Lake Road, to its intersection with the Northern boundary of Skagit County; Said intersection also being on the North line of Section 02, Township 36 North, Range 8 East, W.M.; Thence Westerly along the Northern boundary of Skagit County to the point of beginning.

#### NOXIOUS WEED CONTROL DISTRICT NO. 4:

Beginning at the intersection of the Northern boundary of Skagit County and the centerline of Baker Lake Road; Said intersection also being on the North line of Section 02, Township 36 North, Range 8 East, W.M.; Thence Easterly along the Northern boundary of Skagit County to its intersection with the Western boundary of Okanogan County; Thence Southerly along the Eastern boundary of Skagit County to its intersection with the Western boundary of Chelan County; Thence continuing Southwesterly along the Eastern boundary of Skagit County to its intersection with the South Township line of Township 35 North, W.M.; Thence West along the said South Township line to its intersection with the medial line of the North Fork Cascade River; Said intersection also being on the South line of Section 35, Township 35, Range 13 East, W.M.; Thence Northwesterly and Southwesterly along the said medial line of the North Fork Cascade River and its extension, to its intersection with the medial line of the Cascade River; Thence Northwesterly along the said medial line of the Cascade River and its extension, to its intersection with the medial line of the Skagit River; Thence Westerly along the medial line of the Skagit River, to the medial line of Grandy Creek, if extended; Thence Northerly along the extension of the medial line of Grandy Creek, and the medial line of Grandy Creek, to its intersection with the centerline of State Route 20; Thence Westerly along the centerline of State Route 20, to its intersection with the centerline of Baker Lake Road; Thence Northwesterly along the centerline of Baker Lake Road, to the point of beginning.

#### NOXIOUS WEED CONTROL DISTRICT NO. 5:

Beginning at the Southeast corner of Township 33, Range 7 East, W.M.; Said Southwest corner also being on the Southern boundary of Skagit County; Thence Easterly along the Southern boundary of Skagit County, to its intersection with the Western boundary of Chelan County; Thence Northerly along the Eastern boundary of Skagit County to its intersection with the South Township line of Township 35 North, W.M.; Thence West along the said South Township line to its intersection with the medial line of the North Fork Cascade River; Said intersection also being

on the South line of Section 35, Township 35, Range 13 East, W.M.; Thence Northwesterly and Southwesterly along the said medial line of the North Fork Cascade River and its extension, to its intersection with the medial line of the Cascade River; Thence Northwesterly along the said medial line of the Cascade River and its extension, to its intersection with the medial line of the Skagit River; Thence Westerly along the medial line of the Skagit River, to the medial line of Finney Creek, if extended; Thence Southeasterly along the extension of the medial line of Finney Creek, and the medial line of Finney Creek, to its intersection with the East Range line of Range 7 East, W.M.;

Thence Southerly along said East Range line to the point of beginning.

(Ord.\_\_\_\_\_.)

**6.56.900 Severability.**

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If any portions of this Chapter 6.56 or application thereof to any person(s) or circumstances is held invalid, such invalidity shall not affect other terms of this Chapter, and the remainder of this Chapter or the application of the provision to other person(s) or circumstances is not affected.

(Ord.\_\_\_\_\_.)