

## ORDINANCE NO. 469

**AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON,  
AMENDING WMC SECTION 2.36.020 CODE OF ETHICS AND ADDING  
NEW SECTION 2.36.025 NEPOTISM TO THE WOODINVILLE  
MUNICIPAL CODE; PROVIDING FOR SEVERABILITY, SUMMARY  
PUBLICATION BY ORDINANCE TITLE AND AN EFFECTIVE DATE.**

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**WHEREAS**, the Code of Ethics in WMC Chapter 2.36 declares that public officials and employees never use their position for personal gain and makes it a violation of the Code of Ethics for an employee or public official to influence the selection of or conduct of business with a person having business with the City if he or she personally or through household relatives has financial interest in or with the person, or to grant any special consideration, treatment or advantage beyond that which is available to every other citizen in similar circumstances; and

**WHEREAS**, the City Council deems it appropriate to include within the Ethics Code a clear statement prohibiting the Employment of Relatives (Nepotism) and relieving the City Manager of any potential pressure from public officials or employees to give special hiring consideration to the immediate family members of public officials and employees or to modify or change the current Nepotism Policy in the City's Personnel Policies (originally adopted by Council Resolution 132);

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODINVILLE, WASHINGTON, DOES ORDAIN AS FOLLOWS:**

**Section 1. Amending Section 2.36.020 WMC.** Section 2.36.020 of the WMC is hereby amended by the addition of new subsection (15) to the listing of acts or conduct deemed to be in violation of the Ethics Code, which subsection shall read as follows:

(15) Knowingly and in willful disregard of section 2.36.025, violates or influences any other person to violate the Nepotism Policy set forth in section 2.36.025.

**Section 2. New Section 2.36.025 Nepotism.** New section 2.36.025 is hereby added to the WMC, which section shall read as follows:

**2.36.025 Nepotism.**

In order to prevent conflicts of interest, the City limits employment of an employee's immediate family, as defined in these policies, under any or all of the following circumstances:

A. Where an immediate family member would have authority (or practical power) to supervise, appoint, remove, or discipline the other;

B. Where an immediate family member would be responsible for auditing the work of the other;

C. Where both parties would report to the same immediate supervisor;

D. Where, in order to avoid the reality or appearance of improper influence or favor, or to protect confidentiality, the City must limit the employment of immediate family members of policy level officers of any agency or organization currently dealing with the City or which could reasonably be expected to deal with the City in the future;

E. Where other circumstances might lead to potential conflict among the parties or conflict between the interest of one or both parties and the best interests of the City;

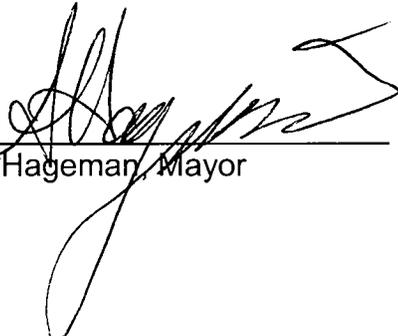
F. Where an immediate family member, other than a spouse, is a member of the City Council. If an employee's spouse is a City Council member, then a prohibited conflict of interest exists if any or all of A-D above apply.

For purposes of this section, "immediate family" means the public official's or employee's spouse, registered domestic partner, child, parent, brother and sister, mother and father -in law, son and daughter-in-law, aunt and uncle, grandparents, grandchildren, or step-relatives or domestic partner-relatives in one of these relationships.

**Section 3. 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 4. Effective.** This ordinance, or summary thereof consisting of the title, shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

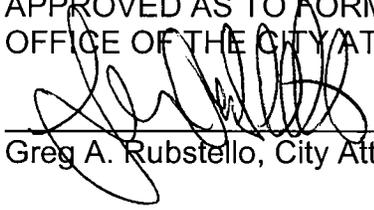
**ADOPTED BY THE CITY COUNCIL AND SIGNED INTO AUTHENTICATION OF ITS PASSAGE THIS 3<sup>rd</sup> DAY OF FEBRUARY 2009.**

  
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Scott Hageman, Mayor

ATTEST/AUTHENTICATED:

  
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Jennifer Kuhn, City Clerk

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY



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Greg A. Rubstello, City Attorney

PASSED BY THE CITY COUNCIL: 2-3-2009  
PUBLISHED: 3-9-2009  
EFFECTIVE DATE: 3-17-2009  
ORDINANCE NO.: 469