CITY OF BELLINGHAM

JOB DESCRIPTION

JOB TITLE: **Hearing Examiner** **E-PLAN**
SG:GRP B
DEPARTMENT: **Hearing Examiner** **CS:N**
FLSA:N
EEO4CODE:PR

JOB SUMMARY:

The Hearing Examiner conducts quasi-judicial and administrative hearings and prepares written decisions and recommendations on land use applications, administrative appeals, property forfeiture and vehicle impoundment cases, and other miscellaneous matters. The individual in this position also manages the Office of the Hearing Examiner and provides supervision of an administrative support position. The Hearing Examiner is appointed by the Mayor and confirmed by the City Council for an initial term of two years, with reappointments of two years. A more detailed description of the position is provided below and in Bellingham Municipal Code Chapter 2.56.

SUPERVISORY RELATIONSHIP:

Reports to the Mayor for administrative functions. Works independently in carrying out assigned duties under applicable federal, State municipal and local laws, rules and regulations.

ESSENTIAL FUNCTIONS OF THE JOB:

1. Conducts quasi-judicial and administrative hearings for a variety of land use and other matters, applying relevant federal, State, and local law. Receives, considers, and examines testimony and exhibits related to matters heard; prepares a case record and enters findings, conclusions, decisions, and orders.

2. Hears appeals of determinations made by the department director or staff members in a variety of City departments. Decides issues, subject only to judicial challenge or other appeal rights as provided by City ordinance.

3. Hears, decides or recommends action regarding various land use issues as provided for by City ordinances; assures compliance with City, State, and federal environmental regulations; considers statutory requirements and philosophical guidelines in determining the appropriate size, scale, and design of development projects.

4. Conducts public hearings and enters findings, conclusions and recommendations to the City Council on matters referred to the Hearing Examiner by the Council.

5. Hears and decides requests for variances from street and utility improvement standards as provided by City ordinances.

6. Hears and decides contested property forfeiture and vehicle impound cases pursuant to State law and City ordinances.

7. Hears and decides appeals of animal control authority decisions pursuant to City ordinances.

8. Oversees preparation of material necessary for public reviews and requests City staff input. Seeks professional expert testimony and documents all factual data.

9. Reviews, interprets, and implements the City's overall program of current and long-range planning as it relates to City services, land use, zoning, ordinances, etc.

10. Analyzes technical drawings and development plans and approves development permits in keeping with land use laws, regulations, and policies.

11. Prepares reports for City Council, the Planning Commission and other City agencies regarding matters heard, and makes recommendations regarding City regulations and policies.

12. Supervises Hearing Examiner department staff.

13. Oversees preparation, posting and mailing of public notices of hearings and decisions.

ADDITIONAL WORK PERFORMED:

1. Serves as a Municipal Court Judge Pro Tem or Commissioner.

2. Serves as counsel to the Civil Service Commission and Pension Boards.

3. Provides semi-annual reports to the City Council of cases and issues heard, recommendations for improving the Hearing Examiner System, and other observations and recommendations pertaining to land use policies and legislation.

4. Performs other legal or judicial work, not inconsistent with essential functions of the job, as needed.

PERFORMANCE REQUIREMENTS (Knowledge, Skills and Abilities):

Knowledge of:
- Principles and practices of urban planning, law, and community development.
- Principles and practices of current architecture, landscape architecture, and civil engineering as applied to urban planning.
- Principles and practices relating to conflict of interest and appearance of fairness doctrines.
- Economics, finance, and sociology as applied to city planning and community development.
- Current literature and recent developments in the field of planning and land use law, zoning, and community development.
- Laws relating to search and seizure, property forfeiture, and vehicle impounds.
- Municipal law in areas of appellate jurisdiction, such as business licenses, utilities, taxes and streets.

Skills:
- Management skills including supervisory skills, problem analysis and decision-making, planning and organizing, interpersonal sensitivity, management control, adaptability/flexibility, stress tolerance, and time management.
- Excellent oral communications skills for working with a diversity of personnel, public officials, and citizens.
- Excellent writing skills.

- Analyze, appraise and organize facts and precedents.

Ability to:

- Conduct quasi-judicial and administrative public hearings and reach objective findings and conclusions based on the interpretation and analysis of data and material related to areas of jurisdiction.
- Establish and maintain cooperative and effective working relationships with elected officials, department heads and staff, regulatory agencies, and the public.
- Communicate effectively both orally and in writing.
- Demonstrate the Public Service Competencies of Service Orientation, Results Orientation, and Teamwork and Cooperation.
- Must maintain consistent and punctual attendance.
- Read, write, interpret, apply, and explain rules, regulations, policies, and procedures.
- Physically perform the essential functions of the job, including:
  - Frequently operate a computer and read a computer screen or typewritten page;
  - Frequently communicate verbally.
  - Move between work sites;
  - Occasionally lift and transport objects up to twenty-five (25) pounds;

WORKING ENVIRONMENT:

Work is performed in an office environment and in a public assembly hall. Visits to sites of proposed development activities are required. Some work may be performed at home, subject to approval of the Mayor.

EXPERIENCE AND TRAINING REQUIREMENTS:

- Graduation from an accredited school of law or certified clerkship program.
- Five years of experience in environmental and land use planning and law Five years of experience in administrative law and municipal law desirable.
- Experience as a Hearing Examiner or in a related role with adjudicative experience is desirable.
- A combination of experience and training that provides the applicant with the knowledge, skills and ability to perform the duties will be considered.

NECESSARY SPECIAL REQUIREMENTS:

- Member Washington State Bar Association (WSBA) at time of initial appointment.
- Valid Washington State driver's license and good driving record. Must submit a three-year driving record abstract prior to hire.
- Shall not accept other employment nor conduct private practice which will adversely affect the performance of official Hearing Examiner duties, discredit the office or otherwise result in a conflict, or the appearance of a conflict of interest.
- Requires frequent attendance and participation at evening meetings.
- Employment contingent upon passing a criminal conviction and local background check.

PREPARED BY: D. Sturwold
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8/02

REVIEWED BY: _____
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Mayor

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