

Chapter 2.44  
HEARING EXAMINER

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**2.44.010** **In general.** All powers and duties vested in the board of adjustment shall be assumed by the hearing examiner for the City. (Ord. 775, March 2004; Ord. 390 SI (part), 1981.)

**2.44.030** **Appointment.** The hearing examiner of the City of Benton City shall be appointed by the Mayor with concurrence of a majority of the whole council. (Ord. 775, March 2004; Ord. 624, 1985.)

**2.44.040** **Meetings.** The hearing examiner shall conduct hearings on the second Tuesday of the month at six (6:00)p.m., in the council chambers, provided, however, that if there is no business coming before the hearing examiner, any scheduled meeting may be cancelled. The hearing examiner may continue the meeting as long as they deem it is in the best interest of the public. (Ord. 905, June 2012; Ord. 775, March 2004; Ord. 390 SI (part), 1981.)

**2.44.050** **Legal effect of decisions.** The decisions of the hearing examiner shall constitute a final decision subject to appeal to the Benton County Superior Court. Each final decision of the hearing examiner shall be in writing and shall include the findings and conclusions based on the record, to support the decision. Such findings and conclusions shall also set forth the manner in which the decision would carry out and conform to the City's comprehensive plan and the City's development regulations. Each final decision of the hearing examiner, unless a longer period is mutually agreed to in writing by the applicant and the hearing examiner, shall be rendered within ten (10) working days following the conclusion of all testimony and hearings. (Ord. 775, March 2004; Ord. 390 SI (part), 1981.)

**2.44.060** **Appeal procedure.** Written notice of an intent to appeal must be filed with the City Clerk and an appeal commenced pursuant to RCW 36.70C within twenty-one (21) days of the date of the final decision. (Ord. 775, March 2004; Ord. 390 S1 (part), 1981.)

**2.44.070** **Jurisdiction.** The hearing examiner shall hear and decide-rendered decisions requiring civil infractions of the Benton City Municipal Code. (Ord. 831, April 2008; Ord. 775, March 2004; Ord. 390 S1 (part), 1981.)

**2.44.080** **City clerk's duties.** It shall be the responsibility of the city clerk, or the clerk's designee, to maintain all records, to be responsible for public notices, correspondence, reports and any other areas of a clerical nature as deemed necessary by the Mayor. (Ord. 775, March 2004; Ord. 390 SI (part), 1981.)