

# **Spokane County Hearing Examiner Rules of Procedure**

## **Section 19            Internet Based Public Hearings**

### **1.        General.**

The rules of procedure in this Section 19 apply to the conducting of hearings before the Hearing via an internet conferencing platform. These rules are an addendum to the Spokane County Hearing Examiner Rules of Procedure. In the event of a conflict between these rules and the Spokane County Hearing Examiner Rules of Procedure generally, as to the unique characteristics of internet-based meetings these Rules shall control.

- A. To the extent possible, hearings held in accordance with these rules shall be conducted in the same manner as in-person hearings, in accordance with the Spokane County Code and Spokane County Hearing Examiner Rules of Procedure adopted by Resolution number 1996-0294 and as thereafter amended.
  - i. Participants in the hearings are expected to log into the internet-based meeting portal on time for participation in the hearing;
  - ii. Each participant shall conduct themselves with the decorum and respect owed to each other and to the hearing as if in an in-person hearing.
- B. Participants in the internet-based hearing will be able to access the hearing through the internet conferencing platform or via a cellular phone, per the instructions provided in the notice of hearing.
- C. For purposes of these rules a “person appears at the hearing” by signing into the internet conferencing platform for the hearing or joins the hearing via telephone via the phone numbers provided, pursuant to the instructions in the Notice of Hearing.
- D. All parties are urged to be patient regarding the technological and other difficulties experienced by themselves or others during the hearing process due to the inevitable limitations of the internet.
- E. If the Hearing Examiner determines that the technology supporting the hearing is not performing adequately, the Hearing Examiner may suspend or continue the hearing, make arrangements for submission of materials or testimony at a later date, or make other necessary arrangements.

### **2.        Submission of Documents/Files as Exhibits During the Hearing**

- A. All documents, images, illustrations, maps, etc. that a Participant/Witness

intends to present and refer to during the hearing must be submitted to the Spokane County Building and Planning Department no later than 4:00 pm, five (5) working days (not including Saturday, Sunday, or holidays) prior to the date of the hearing.

- B. All documents, images, illustrations, maps, etc. that a Participant/Witness intends to present and refer to during the hearing must be submitted in digital format as a PDF file or if a photograph JPEG format is acceptable. All documents, images, illustrations, maps, etc. that a Participant/Witness intends to present and refer to during the hearing must also be submitted in hard copy to the Building and Planning Department.
- C. All documents, images, illustrations, maps, etc. that a Participant/Witness intends to present and refer to during the hearing must be clearly labeled as follows:
  - i. Digital files of the documents etc. shall be labeled in the following format: "Name of Submitter\_document number\_name of document". If the document is comprised of more than one page, each page shall be individually numbered. The name of the document shall be unique to the specific document. The document number, document name, and page numbers of the digital copies of the documents must match the document number and document name that the submitter has assigned to the hard copy
  - ii. Hard Copies of the documents shall be labeled with the name of the applicant, shall identify the specific application for which it is submitted and shall be assigned a unique document number and shall be titled with a unique document name. If the document is comprised of more than one page, each page shall be individually numbered.
- D. Building and Planning Department staff shall provide all of the digital files for all documents, images, illustrations, maps, etc. that a Participant/Witness intends to present and refer to during the hearing, to the Hearing Examiner's staff for preparation for use during the hearing, no less than 3 working days prior to the date of the hearing.

### **3. Testimony and Participation During the Recorded Hearing**

- A. All written comments, other than testimony presented during the hearing via the internet conferencing platform, shall be submitted to the Spokane County Building and Planning Department no later than the date and time set for the hearing to begin. Written comments received after the date and time set for the hearing to begin will not be considered by the Hearing Examiner unless during the hearing the Hearing Examiner has specifically held the record open beyond the conclusion of the hearing for the purpose of accepting additional written

comments.

- B. An audio recording will be made of this internet-based hearing. In order to get a clear recording of the hearing, it is important that only one person speak at a time, and that the person speaking speak clearly.
- C. Each time an individual speaks, the speaker shall identify him/herself first before continuing.
- D. When not actively presenting testimony (e.g. waiting to be called upon by the Hearing Examiner to speak or are just listening to the hearing) all participants in the hearing shall keep their microphone on mute.
- E. All participants in the hearing should take every effort to isolate him/herself from background noises in the home or office environment at which they are participating in the hearing.
- F. Each participant is expected to keep his/her attention on the video screen and to be aware of other participants in the meeting. If the audio of the speaker is disrupted participants should signal the speaker, with a raised hand, that they should stop. If the speaker sees the signal to stop, the speaker should stop speaking until audio is reestablished.
- G. The Hearing Examiner reserves the right to mute any participant who is not able to follow these rules and/or introduces unacceptable levels of intrusive noise or speech.
- H. Questions regarding technical issues or general procedures, that do not require attention from the Hearing Examiner, may be submitted to the hearing administrator via the chat option of the internet conferencing platform during the hearing.

#### **4. Witnesses Testifying**

- A. When it is time for a witness to testify, the witness will be identified by the Hearing Examiner as the next witness in the hearing.
- B. When a witness is called to testify, each witness shall state and spell their name for the record, and to acknowledge that they have been sworn or have affirmed to tell the truth.
- C. When testifying the speaker should enunciate and speak clearly. It may be necessary for the speaker to slow the cadence of his/her presentation to ensure they can be heard and understood clearly. While speaking the speaker should keep his/her eyes on the camera so the speaker can be aware of whether his/her comments are reaching other recipients.
- D. If the audio is disrupted during a speaker's testimony, the speaker may be signaled by other hearing participants. If a signal is given of a disruption in the audio

transmission, please stop speaking so that the issue can be resolved without losing the offered testimony. When the connection is resumed the speaker may be asked to repeat some of his/her statement if it was not conveyed to the hearing recording.

Adopted October 6, 2020, by the Spokane County Board of County Commissioners by Resolution 2020-0708