

**WAC 242-03-330 Witnesses and testimony—Limitation.** (1) Because the board bases its decision on the record developed by the city, county, or the state in taking the challenged action, witnesses shall not be permitted to testify in hearings before the board except as allowed by the presiding officer. Requests to allow witness testimony shall be made no later than five working days prior to the hearing.

All testimony shall be given under oath as provided in chapter 5.28 RCW and subject to cross-examination. Where an interpreter is employed, the provisions of WAC 10-08-150 shall apply.

(2) When allowed to address the board by the presiding officer, local officials shall limit their comments to material contained in the record. Such comments will not be considered testimony, and therefore need not be given under oath.

[Statutory Authority: RCW 36.70A.270(7). WSR 11-13-109, § 242-03-330, filed 6/21/11, effective 7/22/11.]