ORDINANCE 2011-23

AN ORDINANCE OF THE EATONVILLE TOWN COUNCIL, AMENDING EMC 2.12.010, 2.12.020, REPEALING ORDINANCE 2011-13, AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Whereas, the Town Council desires to retain the office of the Town Treasurer in lieu of consolidating the offices under RCW 35.27.190,

Whereas, RCW 35.27.130 requires the compensation of a town's treasurer to be "fixed by ordinance,"

Whereas, Ordinance 2011-13, passed by the Town Council on October 21, 2011, was in a form not compliant with state or local law, and

Whereas, the Town Council desires clarify the duties and responsibilities between the Town Clerk and Town Treasurer;

Now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF EATONVILLE, AS FOLLOWS:

Section 1: Section 5 of Ordinance 92-12, codified at EMC 2.12.010 and 2.12.020, is hereby amended to read as follows:

2.12.010 Salary.

The salary for the town treasurer may be set forth by ordinance at the time of adopting the annual budget~~, or by formal resolution or ordinance~~.

2.12.020 Duties of the town treasurer.

The town treasurer shall perform all duties required by state law including the following specific duties:

~~A. Receive and safely keep by depositing in an account approved by the town, all money of the town;~~

~~B. Execute duplicate receipts for the same, filing one with the town clerk;~~

~~C~~A. Disburse money only on ~~warrants~~ checks signed by the mayor and countersigned by the clerk;

~~D~~B. Make monthly account statements with the clerk, and the clerk shall provide the treasurer an accounting of all town receipts by the clerk;

~~E. Hold all sales of local improvement district lots, tracts, or parcels of land or other property, upon which a judgment of foreclosure and sale has been entered, if so ordered by a judge of the Superior Court;~~

~~F~~C. Invest excess monies in accordance with the Town's Investment Financial Policies~~or inactive LID funds in U.S. Government bonds, notes, bills, certificates of~~

~~indebtedness, or interim financing warrants of a local improvement district which is within the protection of the local improvement guaranty fund law for the benefit of the general current expense fund~~;

~~G~~D. When so instructed by a majority vote of the council to designate one or more banks in Pierce County as the depository of the money required to be kept by the treasurer in accordance with RCW 39.58.050;

~~H. Apply money placed in the "town assessment redemption fund" in payment of any unpaid assessment liens on any lands belonging to the town;~~

~~I. Pay all warrants in the order of their number and date of issue whenever there are sufficient funds in the treasury applicable to the payment in accordance with RCW 35.21.320, 35.45.050 and 35.45.060;~~

~~J. Collect all assessments for local improvements and keep them in a fund designated "local improvement fund, district No. ___";~~

~~K~~E. Annually before August 15th, certify to the council the assessments according to the requirements of RCW 35.49.060;

~~L. Such further duties as may be required by the town council.~~

Section 2: Ordinance 2011-13 is repealed in its entirety.

Section 3: If any clause, sentence, paragraph, section, or part of this ordinance of the application thereof to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid, such order or judgment shall be confined in its operation to the controversy in which it was rendered and shall not affect or invalidate the remainder of any parts thereof to any person or circumstances and to this end the provisions of each clause, sentence, paragraph, section or part of this law are hereby declared to be severable.

Section 4: This ordinance shall take effect upon publication as required by RCW 35.27.300.

READ and INTRODUCED on _____, 2011.

PASSED by a majority of the Town Council and approved by the Mayor of the Town of Eatonville, Washington, at a regular meeting thereof this ___ day of _____, 2011.

ATTEST:

_____ _____

Chrystal McGlone, Town Clerk Ray Harper, Mayor

APPROVED AS TO FORM:

_____

Town Attorney