

ORDINANCE # 555

AN ORDINANCE OF THE TOWN OF YACOLT, WASHINGTON, PROVIDING FOR THE PAYMENT OF COMPENSATION TO THE TOWN'S MAYOR AND THE MEMBERS OF THE TOWN COUNCIL; PROVIDING FOR REIMBURSEMENT OF BUSINESS EXPENSES; PROVIDING FOR CODIFICATION; ESTABLISHING AN EFFECTIVE DATE; AND REPEALING ORDINANCES #458, #459, AND ALL PARTS OF ORDINANCES IN CONFLICT HEREWITH

Recitals

Whereas, the Town of Yacolt, (hereafter "*Town*" or "*Yacolt*"), desires to provide compensation to its Mayor and Council Members in accordance with Washington law;

Whereas, pursuant to RCW 35.27.130, the Town's Mayor and members of the Town Council may receive a salary or compensation for their services to the Town at such levels as the Town Council may establish by ordinance;

Whereas, the Town Council set the Mayor's compensation at Five Hundred Dollars, (\$500.00), per month when it adopted Ordinance #458 in October of 2008;

Whereas, the Town Council set the compensation of Council Members at Thirty-Five Dollars, (\$35.00), for attendance at any meeting of the Town Council when it adopted Ordinance #459 in October of 2008;

Whereas, Article XI, §8, and Article XXX, §1, of the Washington State Constitution provide generally that the salary or compensation of any voting elected public officer of the Town shall not be increased or decreased after the election of such public officer or during the term of office for which the officer was elected;

Whereas, the Mayor and members of the Town Council periodically incur expenses associated with travel in and around the Town for meetings, cellular phone service, and other necessary business expenses;

Whereas, pursuant to RCW 35.27.130, the Mayor and members of the Town Council may be reimbursed for actual expenses incurred in the discharge of their official duties upon presentation of a claim therefor and its allowance and approval by resolution of the Town Council;

Whereas, the Town Council of the Town of Yacolt has deemed it advisable and necessary to codify the Town's Ordinances, and is therefore preparing to adopt a Yacolt Municipal Code; and,

Whereas, the Town Council of the Town of Yacolt is in regular session this 19th day of December, 2016, and all members of the Town Council have had notice of the time, place, and purpose of said meeting:

NOW THEREFORE, be it Ordained by the Town Council of the Town of Yacolt, Washington:

Section 1 - Adoption of Recitals: The foregoing Recitals are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance upon adoption hereof.

Section 2 - Compensation of the Mayor: The compensation paid to the Mayor of the Town of Yacolt shall be as follows:

- (A). **Mayor's Salary:** The Mayor shall receive compensation for his services in the form of a salary of Five Hundred Dollars, (\$500.00), per month.
- (B). **Effective Date of Adjustments to the Compensation of the Mayor:** The salary payable to the Mayor may be revised from time to time by ordinance, but any decrease in the salary payable to the Mayor shall not be applicable to the term then being served by an incumbent Mayor or to the term of a Mayor-elect if such ordinance decreasing the Mayor's salary is adopted on or after his or her election. Any increase in the salary payable to the Mayor shall not be applicable to the term then being served by an incumbent Mayor if the incumbent Mayor casts a tie-breaking vote in favor of such ordinance increasing the Mayor's salary: PROVIDED, that if the Mayor does not cast such a vote, then his or her salary may be increased during his or her term of office effective immediately on such date as may be provided in the ordinance.

Section 3 - Compensation of the Members of the Town Council: The compensation paid to the Members of the Town Council of the Town of Yacolt shall be as follows:

- (A). **Council Member Compensation:** Council Members shall receive compensation in the amount of Thirty Five Dollars, (\$35.00), for attending any meeting of the Town of Yacolt. This fee is payable for attendance at any regular or special meeting of the Town Council, as well as for attendance at any meeting that is adjourned due to lack of a quorum. The fee is also payable for attending any meeting of any other group or organization where the Council member is attending such meeting as a representative of the Town, and the meeting is reasonably related to Town business.
- (B). **Maximum Annual Compensation:** In no event shall the total compensation for any one Council Member exceed Two Thousand, One Hundred Dollars, (\$2,100.00), in any single 12-month calendar year.

(C). Effective Date of Adjustments to the Compensation of Council Members:

The compensation payable to the members of the Town Council may be revised from time to time by ordinance, but any decrease in the compensation payable to the members of the Town Council shall not be applicable to the term then being served by an incumbent Council Member or to the term of a Council Member-elect if such ordinance decreasing the Council Member's compensation is adopted on or after his or her election. Any increase in the compensation payable to the members of the Town Council shall not be applicable to the terms then being served by incumbent Council Members at the time such ordinance is adopted.

Section 4 - Optional Donation of Salary or Compensation: The Mayor or a Town Council member may voluntarily donate to the Town all or any part of that elected official's salary or compensation in accordance with this Section. Upon receiving a salary or compensation payment, an elected official wishing to donate all or part of such payment to the Town shall remit the same to the Town Clerk accompanied by a written statement declaring the elected official's donative intent. The Town Clerk is hereby authorized to accept any such donation on behalf of the Town.

Section 5 - Reimbursement of Expenses: The Mayor and all members of the Yacolt Town Council shall be reimbursed for their actual expenses incurred in the discharge of their official duties upon presentation of a claim therefor, and after allowance and approval of the same, by resolution of the Town Council.

Section 6 - Yacolt Municipal Code: The provisions of Sections 2 through 5 of this Ordinance shall become and be made a part of the Yacolt Municipal Code upon the codification of the Town's Ordinances.

Section 7 - Repealer: The following Ordinances are hereby repealed:

- (A). Ordinance #458:** Ordinance #458 of the Town of Yacolt, adopted October 6, 2008, entitled "An Ordinance Adopting an Adjustment of Compensation for the Mayor, Repealing Ordinance #423" is hereby repealed.
- (B). Ordinance #459:** Ordinance #459 of the Town of Yacolt, adopted October 6, 2008, entitled "An Ordinance Adopting an Adjustment of Compensation for Members of the Town Council, Amending Ordinance #448", is hereby repealed.
- (C). Conflicting Ordinances and Parts of Ordinances Repealed:** All previous Ordinances or parts of Ordinances in conflict with Sections 2 through 5 of this Ordinance are hereby repealed.

Section 8 - Effect of Repeal: The repeal of an Ordinance or part of an Ordinance shall not repeal the repealing clause of such Ordinance or revive any Ordinance which has been repealed thereby.

Section 9 - Savings Clause: All terms of Ordinance #458 and Ordinance #459 shall remain in full force and effect until the relevant effective dates of this Ordinance.

Section 10 - Severability: If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason by a court of competent jurisdiction, or its application to any Person or circumstances is held invalid, the remaining portion of this Ordinance shall remain in full force and effect, and the application of the provision to other Persons or circumstances shall not be affected.

Section 11 - Effective Date: The Town Clerk shall certify the adoption of this Ordinance and cause it, or the following summary of it, to be published once within fifteen (15) days of adoption in the Town's legal newspaper of record. This Ordinance shall take effect immediately upon adoption and publication, according to law.

Town of Yacolt - Summary of Ordinance #555

The Town Council of the Town of Yacolt adopted Ordinance #555 at its regularly scheduled Town Council meeting held on December 19, 2016. The content of the Ordinance is summarized in its title as follows:

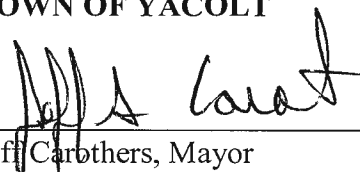
AN ORDINANCE OF THE TOWN OF YACOLT, WASHINGTON, PROVIDING FOR THE PAYMENT OF COMPENSATION TO THE TOWN'S MAYOR AND THE MEMBERS OF THE TOWN COUNCIL; PROVIDING FOR REIMBURSEMENT OF BUSINESS EXPENSES; PROVIDING FOR CODIFICATION; ESTABLISHING AN EFFECTIVE DATE; AND REPEALING ORDINANCES #458, #459, AND ALL PARTS OF ORDINANCES IN CONFLICT HEREWITH. The effective date of the Ordinance is *(insert full date of publication)*.

A copy of the full text of the Ordinance will be mailed upon request to the undersigned at the Town of Yacolt Town Hall, P.O. Box 160, Yacolt, WA 98675: (360) 686-3922.

Published this 28th day of December, 2016.
Cindy Marbut, Town Clerk/Treasurer

PASSED by the Town Council of the Town of Yacolt, Washington, at a regular meeting thereof this 19th day of December, 2016.

TOWN OF YACOLT



Jeff Carothers, Mayor

Attest:

Cindy Marbut

Cindy Marbut, Town Clerk/Treasurer

Approved as to Form:

David W. Ridenour, Town Attorney

Ayes:

Myers, Whittman, Lister

Nays:

Ø

Absent:

Hancock, Tester


Abstain:

Ø

TOWN CLERK'S CERTIFICATION

I hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance #555 of the Town of Yacolt, Washington, entitled "AN ORDINANCE OF THE TOWN OF YACOLT, WASHINGTON, PROVIDING FOR THE PAYMENT OF COMPENSATION TO THE TOWN'S MAYOR AND THE MEMBERS OF THE TOWN COUNCIL; PROVIDING FOR REIMBURSEMENT OF BUSINESS EXPENSES; PROVIDING FOR CODIFICATION; ESTABLISHING AN EFFECTIVE DATE; AND REPEALING ORDINANCES #458, #459, AND ALL PARTS OF ORDINANCES IN CONFLICT HEREWITH", as approved according to law by the Town Council on the date therein mentioned. The Ordinance has been published or posted according to law.

Attest:


Cindy Marbut, Town Clerk/Treasurer

Published: December 28, 2014
Effective Date: December 28, 2014
Ordinance Number: 555