

ORDINANCE #589

AN ORDINANCE OF THE TOWN OF YACOLT, WASHINGTON, PROVIDING FOR INCREASED STIPENDS FOR THE TOWN'S MAYOR AND MEMBERS OF THE TOWN COUNCIL; AMENDING CHAPTER 2.20 OF THE YACOLT MUNICIPAL CODE, [OFFICERS' COMPENSATION]; AND ESTABLISHING AN EFFECTIVE DATE

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, pursuant to Chapter 2.20 of the Yacolt Municipal Code, (hereafter "*YMC*"), the Mayor's compensation is currently set at Seven Hundred Dollars (\$700.00) per month, and the compensation of Council members is currently set at Fifty Dollars (\$50.00) for each meeting attended that relates to Town business;

Whereas, at its regular Council meeting held on December 5, 2022, the Town Council decided to increase the Mayor's monthly stipend to One Thousand Dollars, (\$1,000.00), effective as of January 1, 2023;

Whereas, at its regular Council meeting held on December 5, 2022, the Town Council decided to increase the Council members' stipend to One Hundred Dollars, (\$100.00), per meeting, and to maintain the current maximum compensation of Three Thousand Dollars, (\$3,000.00), per Council member per calendar year;

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, Yacolt's 2023 Budget, adopted by Ordinance #588 on December 12, 2022, contains adequate appropriations for the increased stipend amounts in its General Fund, (Fund #001); and,

Whereas, the Town Council of the Town of Yacolt is in regular session this 9th day of January, 2023, 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 - Amendment of YMC Chapter 2.20 – Officers' Compensation: Chapter 2.20 of the YMC [Officers' Compensation] is hereby amended as set forth below. New text is shown by underline. Deleted text is shown by strikethrough.

2.1 Section 2.20.010, Compensation of the Mayor: YMC Section 2.20.010, [Compensation of the Mayor], is hereby amended as set forth below.

2.20.010 Compensation of the Mayor.

The compensation paid to the mayor of the town of Yacolt shall be as follows:

A. Mayor's Stipend. The mayor shall receive compensation for his or her services in the form of a stipend of One Thousand Dollars (\$1,000.00) ~~\$700.00~~ per month, effective January 1, 2023.

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.

2.2 Section 2.20.020, Compensation of the Members of the Town Council: YMC Section 2.20.020, [Compensation of the Members of the Town Council], is hereby amended as set forth below.

2.20.020 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 form of a stipend, in the amount of One Hundred Dollars, (\$100.00) ~~\$50.00~~ 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 attendance at any meeting that is adjourned due to lack of 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 \$3,000 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 3 - Instructions to the Clerk: The Town Clerk is directed to perform the following tasks:

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- 3.1 Codification of Ordinance:** Upon the Effective Date of this Ordinance, the Town Clerk is directed to send a copy hereof to Code Publishing Company of Seattle, Washington, so that the provisions of this Ordinance may be promptly reflected in the Yacolt Municipal Code.
- 3.2 Implementation of Stipend Increases:** The Town Clerk is directed to increase the compensation of the Mayor and the members of the Council pursuant to this Ordinance only when the circumstances surrounding the increase as to each Officer satisfy the conditions and requirements of Article XI, §8, and Article XXX, §1, of the Washington State Constitution, and the requirements of YMC 2.20.

Section 4 - 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 5 - 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 #589

The Town Council of the Town of Yacolt adopted Ordinance #589 at its regularly scheduled Town Council meeting held on January 9, 2023. The content of the Ordinance is summarized in its title as follows:

AN ORDINANCE OF THE TOWN OF YACOLT, WASHINGTON, PROVIDING FOR INCREASED STIPENDS FOR THE TOWN'S MAYOR AND MEMBERS OF THE TOWN COUNCIL; AMENDING CHAPTER 2.20 OF THE YACOLT MUNICIPAL CODE, [OFFICERS' COMPENSATION]; AND ESTABLISHING AN EFFECTIVE DATE.

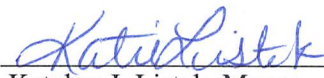
The effective date of the Ordinance is January 18, 2023.

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 18th day of January, 2023.
Stephanie Fields, Town Clerk

PASSED by the Town Council of the Town of Yacolt, Washington, at a regular meeting thereof this 9th day of January, 2023.

TOWN OF YACOLT



Katelyn J. Listek, Mayor

Attest:



Stephanie Fields, Town Clerk

Approved as to Form:



David W. Ridenour, Town Attorney

Ayes: Shealy, Peto, Beck, Homola, Viray
Nays: _____
Absent: _____
Abstain: _____

TOWN CLERK'S CERTIFICATION

I hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance #589 of the Town of Yacolt, Washington, entitled "AN ORDINANCE OF THE TOWN OF YACOLT, WASHINGTON, PROVIDING FOR INCREASED STIPENDS FOR THE TOWN'S MAYOR AND MEMBERS OF THE TOWN COUNCIL; AMENDING CHAPTER 2.20 OF THE YACOLT MUNICIPAL CODE, [OFFICERS' COMPENSATION]; AND ESTABLISHING AN EFFECTIVE DATE" 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:



Stephanie Fields, Town Clerk

Approved: January 9, 2023
Published: January 18, 2023
Effective Date: January 18, 2023
Ordinance Number: 589