

ORDINANCE NO. 1251

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO EMPLOYEE BONDS; AMENDING SECTIONS 2.16.010, 2.17.010 AND 2.47.040 OF THE GIG HARBOR MUNICIPAL CODE TO SET THE MINIMUM BOND AMOUNT; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, RCW 35A.12.080 requires a code city to establish by ordinance the terms and penalty of official bonds for the city clerk, treasurer and chief of police; and

WHEREAS, the bond requirements for the city clerk, city treasurer/finance director and chief of police are presently set forth in sections 2.16.010, 2.17.010 and 2.47.040 of the Gig Harbor Municipal Code, respectively; and

WHEREAS, in the past the bonds were considered covered under the City's errors and omissions and crime prevention coverage through the City's risk pool, but the City's risk pool has notified the City that separate bonds are required; and

WHEREAS, in order for a bonding company to rate and issue the required bonds, the actual amount of the required bonds must be set forth in City ordinance; and

WHEREAS, the City Council desires to amend the Gig Harbor Municipal Code to provide the necessary bond amounts; Now, therefore,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. Section 2.16.010 – Amended. Section 2.16.010 of the Gig Harbor Municipal Code is amended as follows:

2.16.010 Office created.

The mayor is authorized to appoint a qualified person to the office of city clerk, pursuant to RCW 35A.12.090, and all other applicable statutes and ordinances. The city clerk shall be required to annually furnish an official bond in the penal sum of ten thousand dollars, conditioned on the honest and faithful performance of his/her official duties, pursuant to RCW 35A.12.080.

Section 2. Section 2.17.010 – Amended. Section 2.17.010 of the Gig Harbor Municipal Code is amended as follows:

2.17.010 Office created.

The mayor is authorized to appoint a qualified person to the office of city treasurer/finance director, pursuant to RCW 35A.12.090, and all other applicable statutes and ordinances. The city treasurer/finance director shall be required to annually furnish an official bond in the penal sum of ten thousand dollars, conditioned on the honest and faithful performance of his/her duties, pursuant to RCW 35A.12.080, and all other applicable statutes and ordinances.

Section 3. Section 2.47.040 – Amended. Section 2.47.040 of the Gig Harbor Municipal Code is amended as follows:

2.47.040 Chief of police – Bond.

The chief of police shall annually provide an official bond in the penal sum of ten thousand dollars, conditioned on the honest and faithful performance of his/her official duties. ~~The terms and penalty of official bonds and the surety therefor shall be as prescribed by the city by ordinance and the bond shall be approved by the city administrator.~~ The premiums on such bond shall be paid by the city. Compliance with this provision is an essential part of qualification for office as the chief of police.

Section 4. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 5. Effective Date. This Ordinance shall take effect and be in full force five (5) days after passage and publication of an approved summary consisting of the title.

PASSED by the Council and approved by the Mayor of the City of Gig Harbor, this 14th day of November, 2012.

CITY OF GIG HARBOR



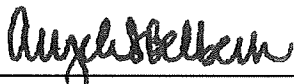
Mayor Charles L. Hunter

ATTEST/AUTHENTICATED:



Molly M. Towslee, City Clerk

APPROVED AS TO FORM:
Office of the City Attorney



Angela S. Belbeck

FILED WITH THE CITY CLERK: 10/15/12
PASSED BY THE CITY COUNCIL: 11/26/12
PUBLISHED: 11/28/12
EFFECTIVE DATE: 12/02/12
ORDINANCE NO: 1251