

ORDINANCE NO. 774

AN ORDINANCE OF THE TOLEDO CITY COUNCIL, REAFFIRMING THE APPOINTIVE OFFICE OF CITY CLERK, AND ESTABLISHING DUTIES, COMPENSATION, HOURS, AN EFFECTIVE DATE AND SEVERABILITY AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH

WHEREAS, the City of Toledo, Washington (the “City”) is a Code City under the laws of the State of Washington; and

WHEREAS, pursuant to RCW 35A.11.020, the City Council has: (i) the power to organize and regulate the City’s internal affairs; (ii) the power to define the functions, powers, and duties of the City officers and employees; (iii) the power to fix the compensation and working conditions of such officers and employees; and (iv) the power to adopt and enforce ordinances of all kinds relating to and regulating the City’s municipal affairs; and

WHEREAS, the position of City Clerk is an appointive office within the City of Toledo; and

WHEREAS, the City desires to reaffirm the office of City Clerk; and

WHEREAS, the City desires to set forth the duties, hours and compensation of the City Clerk;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TOLEDO, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. **Office Created.** The City does hereby create the appointive office of City Clerk.

Section 2. **Appointment.** The Mayor is authorized to appoint a qualified person, as determined by the laws of the State of Washington, to the office of City Clerk. The Mayor’s appointment of City Clerk shall be subject to confirmation by the City Council.

Section 3. **Removal.** The appointed City Clerk may be removed from office at any time without cause by the Mayor. The Mayor’s removal of City Clerk shall be subject to confirmation by the City Council. Without the consent of the Mayor, the City Council may remove the City Clerk from office upon the unanimous consent of the City Council.

Section 4. **Compensation.** The Compensation of the City Clerk shall be set by the City Council on an annual basis, as part of the City’s annual budget.

Section 5. **Duties.** The City Clerk shall be subject to the supervision of the Mayor. The City Clerk shall:

1. Comply with all duties required by statutes found in Title 35A RCW and other applicable laws, presently in effect or subsequently enacted, including those duties normally reserved for the office of the Clerk; and
2. Keep the records of the council and the accounts of the City in such books as may be prescribed by the City or as required by the State Auditor and State law; and
3. Make and certify to the Council all assessments and assessment rolls as required; and
4. Render to the City Council a monthly report of the records in the form and manner requested by the City Council; and
5. Upon request, administer oaths or affirmations and certify to them; and
6. Accept service of all claims against the City; and
7. Keep a full and true account of all City public meetings, hearings and proceedings in an appropriate Minutes book or books; and

8. Keep records of all licenses issued, including the date thereof, to whom issued, for what, the time they expire, and the amount paid; and
9. Keep and properly maintain the City files; and
10. In each of the foregoing records and files, maintain the records accurately and in order, to enable a person to readily ascertain matters contained therein; and
11. Keep records of all invoices and checks with written documentation of the number, date, and disposition of the check; and
12. Keep a book marked “Ordinances,” which may be duplicated by electronic means, which shall contain all original City Ordinances; and
13. Keep a record of Resolutions, which may be duplicated by electronic means, and
14. In writing, attest to the date and manner of publication of Ordinances, or a summary thereof as required by law, which document shall be placed in the Ordinance book; and
15. Manage special projects and programs as assigned by the Mayor; and
16. Perform all work duties and activities in accordance with City policies, procedures, and safety practices.
17. Attend regular and special Council meetings, and other commission meeting as directed by the Mayor; and
18. Perform administrative functions as necessary.

Section 6. Hours. The office of the City Clerk shall be kept open for the transaction of business during the normal operating hours of City Hall, or as established by the City Council.

Section 7. Effective Date. This Ordinance shall take effect five (5) days after the passage and publication of an approved summary thereof consisting of the title.

Section 8. Conflict. Any Ordinance in conflict with the provision of the Ordinance is, to the extent of such conflict, hereby repealed.

Section 9. Severability. Should any section, subsection, paragraph, sentence, clause, or phrase of the Ordinance be found unconstitutional or invalid for any reason, such finding shall not affect the validity of the remaining portion of the ordinance.

PASSED by the City Council of the City of Toledo, Washington, and **APPROVED** by its Mayor at a regularly scheduled open public meeting thereof this 4th day of April 2022.

Steve Dobosh, Mayor

Attest:

City Clerk

Buzzard O’Rourke – City Attorney

Passed First Reading:

Passed Second Reading:

Publication Date:

Effective Date: