

**Councilmembers**

Josh Penner, Deputy Mayor  
Sam Colorossi  
Scott Drennen  
William Birkes  
Barbara Ford  
Tod Gunther



**Orting City Council  
AGENDA**

*Audience members are welcome to speak on any topic on the agenda after Councilmembers have finished their discussion.*

January 28, 2015 – 7:00 pm, **MultiPurpose Center**  
Mayor Joachim Pestinger

1. **CALL MEETING TO ORDER**
  - A. Pledge of Allegiance
  - B. Roll Call
  
2. **REQUEST FOR ADDITIONS OR CORRECTIONS TO THE AGENDA**
  
3. **CONSENT AGENDA**
  - A. \*Minutes of January 14, 2015
  - B. \*Payroll and Claims Warrants  
**Motion:** *Move to approve Consent Agenda as prepared.*
  
4. **COMMENTS FROM CITIZENS**
  
5. **PRESENTATIONS - None**
  
6. **COMMITTEE AND STANDING REPORTS**
  - A. Public Works – Councilmember Drennen/Birkes
  - B. Transportation – Councilmember Drennen/Deputy Mayor Penner
  - C. Technology and Land Use – Councilmember Gunther
  - D. Miscellaneous activity reports, i.e. PSRC, Zoo Trek, special meetings, etc.
  
7. **OLD BUSINESS - None**
  
8. **NEW BUSINESS**
  - A. \*Roof Replacement for Gazebo and Fire Pit – Councilmember Gunther  
**Motion:** *Move to approve Tabco Paramount Advantage Shingles, color - Black Forest.*
  - B. \*City Clerk Position – Reclassification of Executive Administrative Assistant – Mayor Pestinger  
**Motion:** *Move to approve the reclassification of the position Executive Administrative Assistant to City Clerk.*
  
9. **RECESS TO EXECUTIVE SESSION**
  - A. Mayor Pestinger – Recess to Executive Session to discuss sale of real estate, as authorized by RCW 42.30.110(c). Council will reconvene at \_\_\_ pm. No action will be taken in Executive Session or to follow.
  - B. Mayor Pestinger – Reconvene the Council meeting
  
10. **ADJOURN**  
**Motion:** *Move to Adjourn.*

Note: An \* indicates enclosures or attachments

Next Regular Meeting: February 11, 2015

# ORTING CITY COUNCIL MEETING MINUTES

January 14, 2015

Mayor Joachim Pestinger called the meeting to order with the flag salute at 7:00 pm in the Orting Public Safety Building. Roll call found in attendance Deputy Mayor Josh Penner, Councilmembers Sam Colorossi, Scott Drennen, William Birkes, Barbara Ford and Tod Gunther

## ATTENDANCE:

<b>City Employees</b>	Mark Bethune, City Administrator Gwen Robson, Executive Assistant Kaaren Woods, Court Administrator	Stephen Vincenti, Treasurer Ken Wolfe, Building Official
<b>Professional Representatives</b>	Chris Bacha, Attorney – Kenyon Disend JC Hungerford, Engineer – Parametrix	
<b>Visitors (signed in)</b>	Yovanny Zavalza, Chris Fowler, Mary Walsh, Nikki Johnson, Jaime Jones, Michele Nielson, Tammy Drennen	

## REQUEST FOR ADDITIONS OR CORRECTIONS TO THE AGENDA:

Councilmember Ford	Community and Government Affairs report.
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## CONSENT AGENDA:

Councilmember Colorossi moved to approve the Consent Agenda as prepared. Second by Councilmember Birkes. Motion carried.

## COMMENTS FROM CITIZENS:

None

## PRESENTATIONS:

Recognition of Jamie Perez	Mayor Pestinger recognized Jamie Perez as our local hero for providing lifesaving first aid to a critically injured person.
Bridge 4 Kids	Item tabled to the February 11, 2015 meeting.

## COMMISSION REPORTS: (7:17)

Parks Commission	Commissioner Steve Nielson reported the commission elected him as chair and Craig Swanson as co-chair. He thanked the Council for their support. The commission is discussing adding train car/engine to the north park, historical markers and a splash park.
Planning Commission	None

## COMMITTEE AND STANDING REPORTS: (7:20)

Finance & Cemetery	Councilmember Colorossi recapped the 2014 budget.
Public Safety	No report
Councilmember Ford	Councilmember Ford reported the Committee is reviewing city sponsorships, economic development, and the Farmers Market.

Miscellaneous Councilmember Ford reported the Orting School Board has an open school board position. No school on January 19 and January 26.

Mayor Pestinger reported meeting with representatives of Joint Base Lewis McChord. They discussed having local families support soldiers by hosting them for dinner at Thanksgiving and Christmas.

**OLD BUSINESS: (7:28)**

Rate Increase – DM Disposal Councilmember Drennen moved to approve rate increases for DM Disposal services, effective March 1, 2015. Second by Councilmember Colorossi. Motion carried.

Resolution No. 2015-1 Membership in AWC Councilmember Birkes moved to approve Resolution No. 2015-1, a resolution of the City of Orting, Washington, regarding membership in the Association of Washington Cities (AWC) Risk Management Service Agency (RMSA); authorizing entry into an interlocal agreement with RMSA; establishing an effective date. Second by Councilmember Ford. Motion carried.

Councilmember Selection Councilmember Ford moved to extend the application period for the open position until February 6, 2015. Second by Councilmember Colorossi. Motion carried.

Council Personnel Committee Councilmember Colorossi suggested the need for a Council personnel committee. Discussion ensued. Councilmember Colorossi moved to form a personnel committee. Second by Councilmember Drennen. A roll call vote was taken. Ayes – Colorossi, Drennen. Nays – Birkes, Ford, Gunther. Abstention – Penner. The motion failed.

Biosolids Engineering Report Scope and Budget Councilmember Drennen moved to approve scope and budget for analysis of biosolids management and recommendation for biosolids management program. Second by Deputy Mayor Penner. Motion carried.

**RECESS COUNCIL MEETING**

Councilmember Ford moved to recess the Council meeting until the conclusion of the Transportation Benefit District Board meeting. Second by Councilmember Birkes. Motion carried.

**TRANSPORTATION BENEFIT DISTRICT BOARD: (8:52)**

Call the Meeting to Order and Roll Call Chairman Drennen called to order the meeting of the Transportation Benefit District Board. All members were present.

Resolution No. TBD 2015-1 TBD Membership in AWC/ RMSA Boardmember Penner moved to approve TBD Resolution No. 2015-1, a resolution of the Orting Transportation Benefit District; regarding membership in the Association of Washington Cities Risk Management Service Agency. Second by Boardmember Colorossi. Motion carried.

Move to Adjourn Boardmember Colorossi moved to adjourn the meeting of the Transportation Benefit District Board. Second by Boardmember Birkes. Motion carried.

**RECONVENE COUNCIL MEETING:**

**EXECUTIVE SESSION:**

Mayor Pestinger recessed to Executive Session to discuss potential sale of real estate and personnel issues, as authorized by RCW 42.30.110(c) until 8:40pm. He announced no action would be taken during or after Executive Session. Extended to 9:20pm.

Mayor Pestinger reconvened the Council meeting 9:22 at pm.

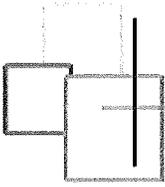
**ADJOURN:**

Councilmember Ford moved to adjourn. Second by Councilmember Birkes. Motion carried.

**ATTEST:**

\_\_\_\_\_  
City Administrator Mark Bethune

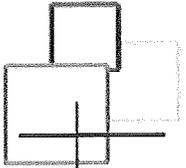
\_\_\_\_\_  
Mayor Joachim Pestinger



# Fund Transaction Summary

Transaction Type: Invoice  
Fiscal: 2015 - January - 2nd Council  
System Types: Financials

Line Number	Description	Amount
001	Current Expense	\$134,300.85
101	City Streets	\$29,837.62
104	Cemetery	\$91.65
105	Parks Department	\$7,376.11
320	Transportation Impact	\$23.52
401	Water	\$68,006.52
408	Wastewater	\$134,672.66
410	Stormwater	\$960,538.36
635	Transportation Benefit District	\$1,200.00
	<b>Count: 9</b>	<b>\$1,336,047.29</b>

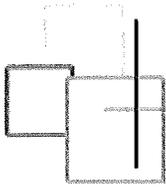


# Register

Fiscal: 2015  
 Deposit Period: 2015 - January  
 Check Period: 2015 - January - 2nd Council  
 Bank Accounts: Key Bank - 2000073  
 Register Types: Warrant  
 Show Outstanding: All  
 System Types: Financials  
 Outstanding Date: 1/23/2015 2:31:22 PM  
 Show Details: Hide

Number	Name	Print Date	Clearing Date	Amount
<b>Key Bank</b>	<b>2000073</b>			
41727	Keccanti Inc.	1/6/2015	1/7/2015	\$787,531.12
41728	Columbia Bank	1/6/2015		\$37,935.03
41772	Fraser, Tom	1/16/2015		\$10,000.00
41773	American Concrete	1/20/2015		\$1,000.00
41774	Awc Rmsa	1/20/2015		\$207,948.00
41775	Dell Financial Services Payment	1/20/2015		\$1,235.41
	Processing Services			
	Konica Minolta Business Solutions			
41776	Mitel Leasing	1/20/2015		\$331.54
41777	North Central Washington Chapter of ICC	1/20/2015		\$963.22
41778	Nova Contraction INC	1/20/2015		\$295.00
41779	Office of State Auditor	1/20/2015		\$11,464.72
41780	Pierce County	1/20/2015		\$13,056.82
41781	Puget Sound Clean Air Agency	1/20/2015		\$5,061.22
41782	Ricoh USA INC	1/20/2015		\$870.00
41783	US BankNA Custody Treasury Div-Mony	1/20/2015		\$251.00
41784	Cntr	1/20/2015		\$72.00
	Wash Assoc of Bldg Officials			
41785	Alarm Center, Inc	1/20/2015		\$95.00
41786	American Concrete	1/28/2015		\$66.00
41787	Awc Rmsa	1/28/2015		\$1,000.00
41788	Brisco Inc.	1/28/2015		\$4,411.00
41789	Cascade Towing-Bonney Lak	1/28/2015		\$298.28
41790	Cassatt, Mike	1/28/2015		\$544.54
41791	Cintas Corporation #461	1/28/2015		\$25.00
41792	City Of Fife	1/28/2015		\$98.60
41793	Coastwide Laboratories	1/28/2015		\$25,492.50
41794	Comcast	1/28/2015		\$304.73
41795	Consolidated Supply	1/28/2015		\$20.74
41796	Coral Sales Copmpany	1/28/2015		\$371.99
41797		1/28/2015		\$131.65

Number	Name	Print Date	Posting Date	Amount
41798	Crystal & Sierra Springs	1/28/2015		\$9.36
41799	Dept of Transportation	1/28/2015		\$750.47
41800	DM Disposal Co., Inc	1/28/2015		\$995.47
41801	Enumclaw, City of	1/28/2015		\$120.00
41802	Evergreen Rural Water of	1/28/2015		\$645.60
41803	HD Supply Waterworks, Ltd	1/28/2015		\$900.47
41804	Honey Bucket-NW Cascade Inc	1/28/2015		\$115.67
41805	Independent Stationers	1/28/2015		\$106.03
41806	KCDA Purchasing Cooperative	1/28/2015		\$18.10
41807	Northup Group	1/28/2015		\$340.00
41808	Orting Auto Repair & Towing Llc	1/28/2015		\$1,914.65
41809	Parametrix	1/28/2015		\$169,467.42
41810	PC Clerks & Finance Officers Association	1/28/2015		\$35.00
41811	Pierce County	1/28/2015		\$3,080.00
41812	Pierce County Cities & Towns	1/28/2015		\$50.00
41813	Pierce County Library System	1/28/2015		\$810.00
41814	Pitney Bowes Global	1/28/2015		\$440.82
41815	Pitney Bowes Purchase Power	1/28/2015		\$544.00
41816	Popular Networks, Llc	1/28/2015		\$3,503.68
41817	Praxair Distribution Inc	1/28/2015		\$40.83
41818	Puget Sound Energy	1/28/2015		\$19,613.94
41819	Rucci, Egle	1/28/2015		\$3,578.00
41820	Scientific Supply & Equip	1/28/2015		\$333.23
41821	Secure Pacific Corp/Mountain Alarm	1/28/2015		\$83.85
41822	South Correctional Entity	1/28/2015		\$2,700.00
41823	Spectral Laboratories	1/28/2015		\$118.00
41824	Staples Advantage-Dept LA	1/28/2015		\$385.28
41825	Sterling Codifiers	1/28/2015		\$4,703.00
41826	Sunnyside, City Of	1/28/2015		\$1,302.00
41827	Systems For Public Safety Inc	1/28/2015		\$73.52
41828	Vision Forms LLC	1/28/2015		\$2,547.61
41829	Wa. State Dept. of Ecolog	1/28/2015		\$5,007.62
41830	Washington Rock Quarries,	1/28/2015		\$405.77
41831	Washington State Crimninal Justice Training Comm	1/28/2015		\$50.00
41832	Zumar Industries Inc	1/28/2015		\$382.79
	<b>Total</b>			<b>\$1,336,047.29</b>
	<b>Total</b>			<b>\$1,336,047.29</b>
	<b>Grand Total</b>			<b>\$1,336,047.29</b>



# Custom Council Report

Vendor	Number	Invoice	Account Number	Notes	Amount	
Alarm Center, Inc	41786	948639	001-521-50-42-02	PSB Alarm	\$66.00	
				<b>Total</b>	<b>\$66.00</b>	
American Concrete	41787	ACI 801 Calistoga-Feb2015	410-594-31-63-15	Temporary Right of Access for Levee Setback	\$1,000.00	
				41773	ACI 801 Calistoga-Jan2015	410-594-31-63-15
	<b>Total</b>	<b>\$2,000.00</b>				
Awc Rmsa	41788	1/9/2015	001-511-20-49-00	2015 Membership Dues	\$4,411.00	
				41774	33124	001-514-23-46-00
	001-521-20-46-00	2015 RMSA Assessment-City	\$29,000.00			
		001-522-20-46-01	2015 RMSA Assessment-City	\$1,800.00		
	001-524-20-46-00		2015 RMSA Assessment-City	\$10,300.00		
		101-542-30-46-00	2015 RMSA Assessment-City	\$10,400.00		
	105-576-80-46-00		2015 RMSA Assessment-City	\$4,148.00		
		401-534-10-46-00	2015 RMSA Assessment-City	\$49,900.00		
	408-535-10-46-00		2015 RMSA Assessment-City	\$80,600.00		
		410-531-10-46-00	2015 RMSA Assessment-City	\$10,300.00		
	33125		635-514-80-46-00	2015 RMSA Assessment for TBD	\$1,200.00	
		<b>Total</b>		<b>\$212,359.00</b>		
	Brisco Inc.	41789	Jan2015-400	001-524-20-32-01		\$161.73
					001-576-80-32-00	\$34.13
408-535-80-32-01					\$34.12	
410-531-38-32-02					\$68.30	
<b>Total</b>					<b>\$298.28</b>	
Cascade Towing-Bonney Lak	41790	18434	001-521-21-49-00	Towing of Car for Investigation	\$544.54	
				<b>Total</b>	<b>\$544.54</b>	

Vendor	Number	Invoice	Account Number	Notes	Amount
Cassatt, Mike	41791	15-025	001-521-50-49-01	Membership- Washington Homicide Investigators Association	\$25.00
				<b>Total</b>	<b>\$25.00</b>
Ceccanti Inc.	41727	Pay Request #7 Calistoga Setback Levee	410-594-31-63-15	Calistoga Setback Levee-Pay Request #7	\$787,531.12
				<b>Total</b>	<b>\$787,531.12</b>
Cintas Corporation #461	41792	461027671	408-535-60-48-04	Park Restroom Cleaning	\$98.60
				<b>Total</b>	<b>\$98.60</b>
City Of Fife	41793	0143787	001-521-50-51-00	4th QRT 2014 Dispatching for PD	\$25,492.50
				<b>Total</b>	<b>\$25,492.50</b>
Coastwide Laboratories	41794	T2735866	001-575-50-31-01	Paper Supplies	\$46.38
		T2735867	105-576-80-31-00	Paper Supplies- North Park	\$86.12
		T2735868	105-576-80-31-00	Paper Supplies-Main Park	\$39.73
		T2735870	001-514-23-31-02	Paper Supplies-City Hall	\$46.38
		T2735871	401-534-10-31-00	Paper Supplies	\$86.12
				<b>Total</b>	<b>\$304.73</b>
Columbia Bank	41728	Pay Request #7 Retainage- Calistoga Setback Levee 7000752100	410-594-31-63-15	Pay Request #7 Retainage Calistoga Setback Levee- 7000752100	\$37,935.03
				<b>Total</b>	<b>\$37,935.03</b>
Comcast	41795	5839-Jan2015	001-514-23-42-00 401-534-10-42-01 408-535-10-42-01	City Hall Cable City Hall Cable City Hall Cable	\$6.91 \$6.92 \$6.91
				<b>Total</b>	<b>\$20.74</b>
Consolidated Supply	41796	S7160848.001	401-534-50-48-02	Meter Lid with Reader	\$206.77
		S7162065.001	401-534-50-48-02	Meter Parts	\$165.22
				<b>Total</b>	<b>\$371.99</b>
Coral Sales Copmpany	41797	INV-B0514134	101-542-64-49-00	Push Button Sighns	\$131.65
				<b>Total</b>	<b>\$131.65</b>
Crystal & Sierra Springs	41798	5225720 011015	401-534-10-31-00	Water for Public Works	\$9.36
				<b>Total</b>	<b>\$9.36</b>

Vendor	Number	Invoice	Account Number	Notes	Amount
Dell Financial Services Payment Processing Services	41775	77707253	001-594-12-75-03	PSB Server	\$25.00
			001-594-14-75-03	City Hall Server	\$50.00
			001-594-21-75-02	PSB Server	\$753.41
			001-594-24-75-05	City Hall Server	\$37.00
			001-594-76-75-06	City Hall Server	\$12.00
			101-594-42-75-41	City Hall Server	\$12.00
			105-594-76-75-04	City Hall Server	\$12.00
			401-594-34-75-02	City Hall Server	\$111.00
			408-594-35-64-44	City Hall Server	\$149.00
			410-594-31-74-02	City Hall Server	\$74.00
				<b>Total</b>	<b>\$1,235.41</b>
Dept of Transportation	41799	RE-313-ATB50113149	101-595-30-41-02	Preliminary Engineering-Washington Two-Way Left Turn Lane	\$750.47
				<b>Total</b>	<b>\$750.47</b>
DM Disposal Co., Inc	41800	5873026	408-535-60-47-00	WWTP-Garbage Service	\$995.47
				<b>Total</b>	<b>\$995.47</b>
Enumclaw, City of	41801	pol-0009Dec	001-523-60-41-00	Jail Fees Dec 2014	\$120.00
				<b>Total</b>	<b>\$120.00</b>
Evergreen Rural Water of	41802	28420	401-534-50-49-01	2015 Dues	\$645.60
				<b>Total</b>	<b>\$645.60</b>
Fraser, Tom	41772	PW1480	101-594-42-64-26	2014 John Deere Gator	\$1,100.00
			105-594-76-64-27	2014 John Deere Gator	\$1,700.00
			401-594-34-64-39	2014 John Deere Gator	\$2,700.00
			408-594-35-64-37	2014 John Deere Gator	\$2,800.00
			410-594-31-64-21	2014 John Deere Gator	\$1,700.00
				<b>Total</b>	<b>\$10,000.00</b>
HD Supply Waterworks, Ltd	41803	D439683	401-534-50-48-04	Meter Parts	\$900.47
				<b>Total</b>	<b>\$900.47</b>
Honey Bucket-NW Cascade Inc	41804	2-1108865	408-535-50-48-02	Honey Bucket Service	\$129.00
		2-1112179	408-535-50-48-02	Honey Bucket Service	(\$108.33)
		2-1112529	408-535-50-48-02	Honey Bucket Service	\$95.00
				<b>Total</b>	<b>\$115.67</b>
Independent Stationers	41805	IN-000489790	001-511-60-31-01	Ink for Printer/Binder	\$106.03
				<b>Total</b>	<b>\$106.03</b>

Vendor	Number	Invoice	Account Number	Notes	Amount
KCD A Purchasing Cooperative	41806	3870445	401-534-10-31-00	File Folders	\$6.03
			408-535-10-31-00	File Folders	\$6.04
			410-531-38-31-00	File Folders	\$6.03
			<b>Total</b>	<b>\$18.10</b>	
Konica Minolta Business Solutions	41776	40056669-Jan2015	001-594-21-75-00	PD Copier Lease	\$331.54
			<b>Total</b>	<b>\$331.54</b>	
Mitel Leasing	41777	1281376	001-594-12-75-02	PSB Phone Lease	\$32.56
			001-594-21-75-01	PSB Phone Lease	\$255.10
			001-594-22-75-01	PSB Phone Lease	\$255.10
		1281379	001-594-14-75-04	City Hall Phone Lease	\$105.12
			001-594-24-75-01	City Hall Phone lease	\$21.00
			001-594-76-75-01	City Hall Phone lease	\$21.00
			101-594-42-75-01	City Hall Phone lease	\$21.02
			401-594-34-75-01	City Hall Phone lease	\$115.64
			408-594-60-42-01	City Hall Phone lease	\$115.64
			410-594-31-75-01	City Hall Phone lease	\$21.04
			<b>Total</b>	<b>\$963.22</b>	
			North Central Washington Chapter of ICC	41778	Wolfe-2015
<b>Total</b>	<b>\$295.00</b>				
Northup Group	41807	3130	001-521-20-41-00	Pre-Employment Eval-Burson	\$340.00
<b>Total</b>				<b>\$340.00</b>	
Nova Contraction INC	41779	Pay Request 1-Rainier Lane Utility Improvements	401-594-34-63-36	Rainier Lane Construction	\$2,292.94
			408-594-35-63-31	Rainier Lane Construction	\$5,732.36
			410-594-31-63-29	Rainier Lane Construction	\$3,439.42
			<b>Total</b>	<b>\$11,464.72</b>	
Office of State Auditor	41780	L106460	001-512-50-41-03	State Audit for 2011- 2013	\$574.49
			001-514-23-41-14	State Audit for 2011- 2013	\$1,436.25
			001-521-90-40-14	State Audit for 2011- 2013	\$1,436.25
			001-524-90-40-00	State Audit for 2011- 2013	\$691.88
			001-575-90-40-01	State Audit for 2011- 2013	\$744.11
			101-542-30-41-02	State Audit for 2011- 2013	\$1,436.25
			105-576-90-40-00	State Audit for 2011- 2013	\$744.11

Vendor	Number	Invoice	Account Number	Notes	Amount	
Office of State Auditor	41780	L106460	401-534-10-41-02	State Audit for 2011-2013	\$2,285.48	
			408-535-10-41-02	State Audit for 2011-2013	\$2,572.06	
			410-531-10-41-01	State Audit for 2011-2013	\$1,135.94	
			<b>Total</b>		<b>\$13,056.82</b>	
Orting Auto Repair & Towing Llc	41808	5568	401-534-50-48-06	Alignment/Oil Pan Repair-B/C 1021	\$595.66	
			408-535-50-48-08	Alignment/Oil Pan Repair-B/C 1021	\$297.83	
			5740	001-521-50-48-02	Spark Plugs & Wires 06 Explorer	\$316.95
			5779	001-521-50-48-02	Replace Catalytic Converter	\$704.21
			<b>Total</b>		<b>\$1,914.65</b>	
Parametrix	41809	01-74609	401-534-10-41-13	Utility Mapping Expense-Water	\$16.01	
			401-534-10-41-29	Orville Water Main Replacement-Easement Water	\$77.13	
			401-594-34-41-01	Well 1 Control Improvements-Project Mgmt-Water	\$75.93	
			401-594-34-63-35	Rainier Lane SE Construction Services-Project Mgmt Water	\$18.22	
			401-594-34-63-35	Rainier Lane SE Construction Services-Survey Construction	\$55.53	
			401-594-34-63-35	Observation-Water Rainier Lane SE Construction	\$307.09	
			408-535-10-41-18	Engineering-Water Utility Mapping Expense-Sewer	\$16.49	
			408-594-35-41-01	Biosolids Removal-Project Mgmt-Sewer	\$25.31	
			408-594-35-41-01	Biosolids Removal-Specs & Site Plans-Sewer	\$231.39	
			408-594-35-41-11	High Cedars Force Main Project Management-Sewer	\$803.15	
			408-594-35-41-11	High Cedars Force Main Lift Station Rehab Design-Sewer	\$3,870.94	
			408-594-35-41-11	High Cedars Force Main Topographic Survey-Sewer	\$5,138.14	
			408-594-35-41-11	High Cedars Force Main Sewer Design-Sewer	\$13,069.78	
			408-594-35-63-30	Rainier Lane SE Construction Services-Project Mgmt Sewer	\$18.23	

Agency	Member	Invoice	Account Number	Notes	Amount
Parametrix	41809	01-74609	408-594-35-63-30	Rainier Lane SE Construction Services-Survey Construction	\$55.54
			408-594-35-63-30	Observation-Sewer Rainier Lane SE Construction Services-Office	\$307.10
			410-531-39-41-05	Engineering-Sewer Utility Mapping Expense-Storm	\$16.01
			410-594-31-63-28	Rainier Lane SE Construction Services-Project Mgmt Storm	\$14.17
			410-594-31-63-28	Rainier Lane SE Construction Services-Survey Construction	\$43.19
			410-594-31-63-28	Observation-Storm Rainier Lane SE Construction Services-Office	\$238.85
		01-74610	001-524-20-41-02	Engineering-Storm VG Div 8-Design Review-Gen	\$1.85
			001-524-20-41-02	Majestic View Div 2- Stowe Design Review Services- Gen	\$77.13
			001-524-20-41-02	General Development-Gen	\$308.52
			001-524-20-41-02	The Meadows Div 2- Design Review-Gen	\$617.04
			001-524-20-41-02	VG Div 8-Design Construction Services-Gen	\$4,598.31
			001-524-20-41-02	VG Div 7- Construction Services-Gen	\$4,710.10
			001-524-20-41-02	The Meadows Div 2- Constructon Services-Gen	\$9,479.16
		01-74611	410-594-31-63-24	Construction Admin Assistance- Expenses-Storm	\$118.81
			410-594-31-63-24	Construction Admin Assistance- Landscape-Storm	\$316.00
			410-594-31-63-24	Construction Admin Assistance-Project Mgmt-Storm	\$861.31
			410-594-31-63-24	Construction Admin Assistance-Const Staking-Storm	\$1,503.84
			410-594-31-63-24	Construction Admin Assistance-Out of Scope-Storm	\$6,766.90
			410-594-31-63-24	Construction Admin Assistance-Const Mngmnt-Storm	\$11,790.92
			410-594-31-63-24	Construction Admin Assistance-Const Observ-Storm	\$22,331.61

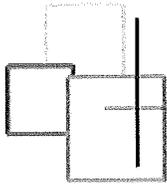
Vendor	Account	Invoice	Account Number	Notes	Amount
Parametrix	41809	01-74611	410-594-31-63-24	Construction Admin Assistance-Geotech-Storm	\$60,963.59
		01-74612	001-558-60-41-01	General Consulting-Gen	\$340.00
			101-542-30-41-01	General Consulting-Streets	\$1,157.50
			401-534-10-41-01	General Consulting-Water	\$3,219.85
			408-535-10-41-01	General Consulting-Sewer	\$3,645.80
			410-531-39-41-01	General Consulting-Storm	\$2,720.00
		01-74652	101-595-30-41-02	SR 162-TWLT Env't Approval-Streets	\$0.05
			101-595-30-41-02	SR162-TWLT Project	\$993.43
			101-595-30-41-02	Management-Streets SR 162-TWLT WSDOT	\$3,711.98
			101-595-30-41-02	Coordination-Streets SR 162-TWLT	\$4,835.52
				Preliminary Eng-Streets	
				<b>Total</b>	<b>\$169,467.42</b>
		PC Clerks & Finance Officers Association	41810	2015 Dues	001-514-40-49-02
<b>Total</b>	<b>\$35.00</b>				
Pierce County	41781	AR165967	410-594-31-41-25	Army Corp of Engineers Study	\$5,061.22
		AR166516	401-594-34-63-02	Recording Fees	\$77.00
		AR166562	001-525-10-51-00	Emergency Management Assistance	\$3,003.00
				<b>Total</b>	<b>\$8,141.22</b>
Pierce County Cities & Towns	41812	2015Dues	001-511-20-49-05	2014 Membership Dues	\$50.00
				<b>Total</b>	<b>\$50.00</b>
Pierce County Library System	41813	2015-01	408-535-60-48-05	MPC/Library Janitorial	\$810.00
				<b>Total</b>	<b>\$810.00</b>
Pitney Bowes Global	41814	2471903-JA15	001-514-23-45-00	Postage Machine Lease	\$440.82
				<b>Total</b>	<b>\$440.82</b>
Pitney Bowes Purchase Power	41815	67562500206-Jan2015	001-512-50-31-01	Postage	\$108.00
			001-513-10-31-01	Postage	\$4.07
			001-514-23-31-01	Postage	\$157.07
			001-521-20-31-07	Postage	\$1.00
			001-521-20-31-07	Postage	\$31.66
			001-524-20-31-02	Postage	\$48.66
			001-558-60-31-02	Postage	\$88.37
			001-575-50-31-02	Postage	\$6.45
			401-534-10-42-00	Postage	\$11.86

Vendor	Number	Invoice	Account Number	Notes	Amount			
Pitney Bowes Purchase Power	41815	67562500206-Jan2015	401-534-10-42-00	Postage	\$28.16			
			408-535-10-42-00	Postage	\$2.38			
			408-535-10-42-00	Postage	\$28.16			
			410-531-38-42-00	Postage	\$28.16			
			<b>Total</b>		<b>\$544.00</b>			
Popular Networks, Llc	41816	15095	001-513-23-41-01	Computer Maintenance	\$74.20			
			001-514-23-41-04	Computer Maintenance	\$211.10			
			001-524-20-41-01	Computer Maintenance	\$142.65			
			001-525-60-41-03	Disaster Recovery	\$511.28			
			001-575-50-41-03	Computer Maintenance	\$142.65			
			101-542-30-41-04	Computer Maintenance	\$74.70			
			401-534-10-41-05	Computer Maintenance	\$278.55			
			408-535-10-41-05	Computer Maintenance	\$278.55			
			410-531-38-41-04	Computer Maintenance	\$210.60			
			15096	001-521-50-41-01	Computer Maintenance	\$1,537.00		
			001-525-60-41-03	Disaster Recovery	\$42.40			
			<b>Total</b>		<b>\$3,503.68</b>			
			Praxair Distrubution Inc	41817	51485905	101-542-30-31-00	Oxygen	\$40.83
						<b>Total</b>		<b>\$40.83</b>
Puget Sound Clean Air Agency	41782	15-072S	001-531-70-51-00	2015 Clean Air Assessment	\$870.00			
			<b>Total</b>		<b>\$870.00</b>			
Puget Sound Energy	41818	200001247663-Jan2015	408-535-50-47-07	VC Lift Station	\$144.16			
		200001247812-Jan2015	320-595-30-63-01	SR162 Signal	\$23.52			
		200001248190-Jan2015	105-576-80-47-01	North Park	\$10.80			
		200001248539-Jan2015	001-525-50-47-01	Lahar Siren	\$10.80			
		200001532189-Jan2015	105-576-80-47-02	Main Park	\$317.27			
			105-576-80-47-03	Bell Tower	\$135.97			
		200002708986-Jan2015	408-535-50-47-05	VG Lift Station	\$362.63			
		200003766280-Jan2015	001-514-21-32-01	City Hall/City Shop @ City Hall	\$58.02			
			001-514-21-47-01	City Hall/City Shop @ City Hall	\$152.19			
			001-524-20-32-05	City Hall/City Shop @ City Hall	\$70.06			
			401-534-50-47-01	City Hall/City Shop @ City Hall	\$152.19			
			401-534-50-47-09	City Hall/City Shop @ City Hall	\$58.03			
			408-535-50-47-01	City Hall/City Shop @ City Hall	\$152.18			
			408-535-50-47-08	City Hall/City Shop @ City Hall	\$58.02			
		200009717931-Jan2015	401-534-50-47-04	Well 2	\$56.77			
		200010396329-Jan2015	001-521-50-47-00	PSB	\$849.56			
			001-522-50-47-00	PSB	\$849.56			

Vendor	Number	Invoice	Account Number	Notes	Amount	
Puget Sound Energy	41818	200010396543-Jan2015	105-576-80-47-01	North Park	\$182.11	
		200010396733-Jan2015	401-534-50-47-11	Well 4	\$2,470.93	
		200010629349-Jan2015	101-542-63-47-01	City Shop	\$25.38	
			104-536-50-47-01	City Shop	\$20.30	
			401-534-50-47-01	City Shop	\$30.45	
			408-535-50-47-01	City Shop	\$25.37	
			408-535-50-47-04	WWTP	\$7,540.31	
		200013874264-Jan2015	408-535-50-47-04	WWTP	\$7,540.31	
		200014994137-Jan2015	410-531-38-47-00	VG Storm Pond	\$139.23	
		200021141250-Jan2015	408-535-50-47-03	Lift Station 2	\$77.40	
		200021421298-Jan2015	408-535-50-47-06	Sewer Pump Station	\$28.32	
		200022934653-Jan2015	001-575-50-47-01	MPC/Library	\$765.79	
		200024404523-Jan2015	408-535-50-47-02	Lift Station 1	\$112.66	
		300000002406-Jan2015	101-542-63-47-03	Street Lights	\$4,733.96	
		<b>Total</b>	<b>\$19,613.94</b>			
Ricoh USA INC	41783	93937260	001-594-14-75-00	City Hall Copier Lease	\$251.00	
				<b>Total</b>	<b>\$251.00</b>	
Rucci, Egle	41819	296	001-514-23-41-12	Monthly Hosting & Maintenance for City Web Site	\$3,578.00	
				<b>Total</b>	<b>\$3,578.00</b>	
Scientific Supply & Equip	41820	31410811	408-535-10-31-00	Lab Supplies	\$333.23	
				<b>Total</b>	<b>\$333.23</b>	
Secure Pacific Corp/Mountain Alarm	41821	37823	001-514-23-31-02	City Hall Alarm	\$83.85	
				<b>Total</b>	<b>\$83.85</b>	
South Correctional Entity	41822	1077	001-523-60-41-00	Jail Fees-Dec2014	\$2,700.00	
				<b>Total</b>	<b>\$2,700.00</b>	
Spectral Laboratories	41823	95965	408-535-10-41-03	Lab Testing	\$118.00	
				<b>Total</b>	<b>\$118.00</b>	
Staples Advantage- Dept LA	41824	3253521404	001-514-23-31-02	Office Supplies	\$94.94	
				001-575-50-31-01	Office Supplies	\$5.50
				401-534-10-31-00	Office Supplies	\$94.95
				408-535-10-31-00	Office Supplies	\$94.95
				410-531-38-31-00	Office Supplies	\$94.94
				<b>Total</b>	<b>\$385.28</b>	
Sterling Codifers	41825	15533	001-514-23-41-10	Supplement 37-ORD 939-962	\$4,203.00	
		16358	001-514-23-41-10	2015 Hosting Fees	\$500.00	
		<b>Total</b>	<b>\$4,703.00</b>			

Vendor	Reference	Invoice	Account Number	Notes	Amount
Sunnyside, City Of	41826	56	001-523-60-41-00	Jail Fees-Dec 2014	\$1,302.00
				<b>Total</b>	<b>\$1,302.00</b>
Systems For Public Safety Inc	41827	25841	001-521-50-48-02	Replace Headlight Flasher	\$73.52
				<b>Total</b>	<b>\$73.52</b>
US BankNA Custody Treasury Div-Mony Cntr	41784	386000122-Jan 2015	001-514-23-49-06	Monthly Fees for Safekeeping	\$72.00
				<b>Total</b>	<b>\$72.00</b>
Vision Forms LLC	41828	2742	401-534-10-31-00	Utility Bill Processing & Mailing	\$30.25
			401-534-10-42-00	Utility Bill Processing & Mailing	\$78.02
			408-535-10-31-00	Utility Bill Processing & Mailing	\$30.25
			408-535-10-42-00	Utility Bill Processing & Mailing	\$78.01
			410-531-38-31-00	Utility Bill Processing & Mailing	\$30.24
			410-531-38-42-00	Utility Bill Processing & Mailing	\$78.01
		2761	401-534-10-31-00	Utility Bill Processing & Mailing	\$293.96
			401-534-10-42-00	Utility Bill Processing & Mailing	\$446.99
			408-535-10-31-00	Utility Bill Processing & Mailing	\$293.96
			408-535-10-42-00	Utility Bill Processing & Mailing	\$446.98
			410-531-38-31-00	Utility Bill Processing & Mailing	\$293.96
			410-531-38-42-00	Utility Bill Processing & Mailing	\$446.98
				<b>Total</b>	<b>\$2,547.61</b>
Wa. State Dept. of Ecolog	41829	2015 -WA0020303	408-535-50-51-00	Wastewater Permit	\$2,850.12
		2015- WAR045016	410-531-30-51-00	Stormwater Permit	\$2,157.50
				<b>Total</b>	<b>\$5,007.62</b>
Wash Assoc of Bldg Officials	41785	WABO2015-Wolfe	001-524-20-49-05	2015 Membership Renewal	\$95.00
				<b>Total</b>	<b>\$95.00</b>
Washington Rock Quarries,	41830	51140	101-542-30-48-02	Crushed Surface Rock	\$101.44
			401-534-50-48-02	Crushed Surface Rock	\$101.44
			408-535-50-48-02	Crushed Surface Rock	\$101.45
			410-531-38-48-00	Crushed Surface Rock	\$101.44
				<b>Total</b>	<b>\$405.77</b>

Vendor	Number	Invoice	Account Number	Notes	Amount
Washington State Criminal Justice Training Comm	41831	201124501	001-521-40-49-00	Cancellation Fee- Traffic Collision Course	\$50.00
				<b>Total</b>	<b>\$50.00</b>
Zumar Industries Inc	41832	0173821	101-542-64-49-00	Street Signs	\$72.28
		0173960	104-536-20-31-00	Funeral in Progress Sign	\$71.35
		0174046	101-542-64-49-00	Arrow Sign	\$21.63
		0174052	101-542-64-49-00	Street Signs	\$154.43
		0174053	101-542-64-49-00	Street Signs	\$63.10
				<b>Total</b>	<b>\$382.79</b>
				<b>Grand Total</b>	<b>\$1,336,047.29</b>



# Fund Transaction Summary

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Transaction Type: Invoice  
Fiscal: 2015 - January - 2nd Council  
System Types: Payroll

<u>Fund Number</u>	<u>Description</u>	<u>Amount</u>
001	Current Expense	\$70,331.44
101	City Streets	\$1,988.80
104	Cemetery	\$877.67
105	Parks Department	\$3,961.10
401	Water	\$12,830.75
408	Wastewater	\$17,758.90
410	Stormwater	\$8,380.58
	<b>Count: 7</b>	<b>\$116,129.24</b>



**City of Orting**  
*Parks Commission Recommendation Report*

**Date:** 1/9/2015

**Prepared By:** Beckie Meek, Parks Commission Secretary

**Agenda Item:** Roofing Replaced for Gazebo and BBQ Covered Area

<b>Issue Synopsis:</b>	The roofs of the Gazebo and the BBQ Pit need to be reroofed as the cedar shakes have begun to deteriorate and fall off.
<b>Background:</b>	Theses shelters were built by the Lions Club and donated to the City. It is now the responsibility of the City to replace or repair these facilities. City Administrator, Mark Bethune provided samples of roofing materials for consideration by the Parks Commission.
<b>Policy Options:</b>	Roofing Material and color choice
<b>Analysis:</b>	Parks Commissioners studied the various types of roofing including metal and asphalt. The recommendation is for Pabco heavy weight asphalt shingles. 1 <sup>st</sup> Choice - Black Forest Color Heavyweight Signature Cut Shingles 2 <sup>nd</sup> Choice - Cedarwood 3 <sup>rd</sup> Choice - Driftwood
<b>Fiscal Impact:</b>	Fund(s): Parks fund (105)  Expenditure Required: Will call for bids  Amount Budgeted: \$8,500 each, \$17,000 total  Additional Appropriation Required: unknown
<b>Policy Questions:</b>	n/a
<b>Staff Recommendation:</b>	Approve
<b>Parks Commission Recommendation:</b>	Approve
<b>Attachments:</b>	1) Pabco product description

# Roofing Product Comparison

<b>Product</b>	<b>Malarkey Windsor</b>	<b>Pabco Paramount</b>
Warranty:	50 Years	50 Years
Wind speed protection up to:	110 MPH	110 MPH
Weight of shingles	355 lbs / Square	495 lbs / Square

January 15, 2015

Staff Report: Reclassification of Executive Administrative Assistant to City Clerk Position

**Background:** RCW 35A.12.020 requires the position of City Clerk which can be combined with City Treasurer. Orting established the position of Clerk/Treasurer many years ago which was called the Finance Director in 2006. The acting Finance Director (Sue) left in 2008. Because of the recession the Mayor consolidated positions rather than filling the vacancy. No one received additional pay for the increased work load. The City Administrator took on the additional position of Finance Director (Clerk/Treasurer). The payroll function of the Clerk/Treasurer was delegated to the Accountant 2 (Freda), and the City Clerk day to day duties were delegated to the Administrative Assistant (Assistant to the Mayor and City Administrator). The Administrative Assistant position was retitled in 2011 as the Executive Administrative Assistant. In 2010 a new finance position (Clerical I – Finance) was added to take on some of the day to day duties of the Treasurer and to serve as building permits clerk.

When many of the City Clerk duties were delegated to the Administrative Assistant the Mayor required formal City Clerk training and certification to ensure qualified performance. The intent of the previous administration (under Temple) was to reclassify the Administrative Assistant position to City Clerk once all certifications were completed. The previous Administrative Assistant completed the training but resigned before the position was reclassified to City Clerk. The current Executive Administrative Assistant has completed all training and is now certified to be a City Clerk.

Mayor Pestinger moved to proceed with the reclassification of the Executive Administrative Assistant position to City Clerk. In Ordinance 958 the City Clerk, City Treasurer, and City Administrator positions were defined and approved by City Council on July 10, 2014. The reclassification was included in the 2015 budget with a 10% pay increase in pay over the previous position of Executive Administrative Assistant.

**Action:** The Mayor requests Council approval for the reclassification of the Executive Administrative Assistant position to City Clerk.

**Attachments:**

City Job descriptions:

- New City Clerk job description
- Pay Comparables
- Ordinance 958

# CITY OF ORTING

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## JOB DESCRIPTION

Job Title: City Clerk

Department: Finance

Reports to: City Administrator

Effective date: 01/16/15

Salary Range: \$43,058 to \$52,956

The City Clerk is a full-time FLSA exempt, non-Civil Service management position which reports directly to the City Administrator. The City Clerk is responsible for the record keeping processes, legal notifications, land use permitting, public records/information requests, administrative support and assistance to the Mayor and City Administrator.

### Major Function and Purpose

Under general supervision of the City Administrator the City Clerk supervises the City record keeping processes and serves as the Clerk to the City Council; attends Council Meetings; keeps a true and complete record of council proceedings; and maintains city contracts, ordinances and resolutions. The City Clerk provides the public with land use permits, policies, and procedures. The City Clerk is the administrative lead for animal control. The City Clerk provides administrative support and assistance to the Mayor and City Administrator. Other duties include web site updates, capital asset inventory, and legal notifications/advertisements.

### Job Duties and Responsibilities

The job duties and responsibilities represented in this job description in no way imply that these are the only duties to be performed. Employees occupying the position will be required to follow any other job related instructions and to perform any other job-related duties requested by a supervisor. This job description reflects general details as necessary to describe the principal functions of this job, the level of knowledge and skill typically required, and the scope of responsibility, but should not be considered an all-inclusive listing of work requirements. Individuals may perform other duties as assigned, including working in other functional areas to cover absences or relief, to equalize peak work periods, or to otherwise balance the work load. Specific duties and responsibilities include, but are not limited to:

- Serves as Clerk to the City Council, attends all meetings and keeps a true and complete record of proceedings;
- Maintains city records to include contracts, ordinances and resolutions. Records all ordinances, giving the number and title of the ordinance, stating that the ordinance was published and posted according to law;
- Custodian of the seal of the City and official City records, including, but not limited to, contracts, deeds, titles, and other evidences of City ownerships or responsibilities, and shall have authority to acknowledge the execution of all instruments by the City which require acknowledgment;
- Publish all legal notices;
- Prepare and distribute the council agenda and packet for each council meeting;
- Provide copies of regulatory ordinances to state agencies in accordance with RCW 35.21.185 and other similar statutes requiring distribution of regulatory ordinances to state agencies;

- Receives service of process on behalf of the City
- Provides administrative assistance to the animal control program
- Provides the public with land use applications, permits, policies and procedures. Completes application process with applicant.
- Maintains the city's web site and coordinates with the Web master contractor to keep the site updated
- Provides capital asset management according to policy and procedure including inventory review
- Provides administrative support to the Mayor and City Administrator
- Provides legal notifications/advertisements
- Processes Passport Applications
- Communicates with customers or others in person or via telephone, assisting with problems, complaints, and customer concerns.
- Performs routine office tasks as required
- Keeps the city reader board updated

### **Knowledge, Skills and Abilities**

While requirements may be representative of minimum levels of knowledge, skills and abilities, to perform this job successfully, the incumbent will possess the abilities or aptitudes to perform each duty proficiently and in a timely fashion.

- Ability to work on multiple projects simultaneously in a fast-paced and challenging environment.
- Ability to follow projects to completion and meet deadlines.
- Good knowledge of office practices and equipment
- Ability to communicate with the public courteously and professionally
- Ability to follow directions carefully and to work independently
- Excellent written and oral communication skills.

### **Working Conditions**

Work is performed in an office setting. Close and constant work with computers exposes the individual to normal emissions from the computer monitor and repetitive motion tasks. The work area can be noisy at times.

### **Contact and Relationships**

The City Clerk will have contact with City employees on a daily basis as well as daily contact with the City Administrator and Mayor. Routine contacts may include local business people, school personnel, vendors, and some state and county officials.

### **Physical Requirements**

The employee performing the duties of City Clerk must be able to perform the bona fide occupational qualifications of the position with or without accommodation. If accommodation is required, the employee must specify how duties will be performed and what accommodation is required.

The individual in this position must have the ability to communicate in person or via telephone to interact with others. Operation of computers and other office equipment is an essential job function. The City Clerk must have the ability to produce handwritten documents. The position may require sitting or standing for extended periods of time.

### **Recruiting Requirements**

- Municipal Clerk Certification
- Prefer three years' experience in governmental record keeping including archiving, records maintenance, record retention and destruction.
- Five years of progressively responsible work experience in a governmental supervisory and/or administrative capacity
- Operational experience in entity-wide records and information management
- Knowledge of Microsoft Word, Excel, Access, Publisher and PowerPoint
- Background in the use of standard office machines and equipment
- Experience in customer service/public relations
- Experience with organizational use of social media
- Experience in web site maintenance

### **Experience and Training**

Any combination of experience and training that provides the city with the desired skills, knowledge and abilities.

All requirements are subject to possible modification to reasonably accommodate individuals with disabilities. However, some requirements may exclude individuals who pose a direct threat or significant risk to the health and safety of themselves or other employees.

*This job description does not constitute an employment agreement between the Employer and employee and is subject to change as the needs of the Employer and requirements of the job change.*

# CITY OF ORTING

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## JOB DESCRIPTION

Job Title: Executive Administrative Assistant  
Job Code: 242

Department: Administration

Reports to: City Administrator

Effective date: 08/28/11

Hourly Pay Rate: \$16.36 - \$20.12

### **Major Function and Purpose**

The Administrative Assistant is a full time FLSA non-exempt, non-Civil Service, non-union office/clerical position. The Administrative Assistant performs a variety of specialized office duties to support the activities of the Mayor and City Administrator, as well as to ensure the efficient operation of City Government. This position is also responsible for the City of Orting website; City records, preparing minutes, calendars, agenda's, and agenda packets for various commission meetings. The Administrative Assistant is also responsible for managing Public Disclosure requests in accordance with state law.

### **General Function**

Under general supervision of the City Administrator, the Administrative Assistant performs a variety of office clerical related duties, including copying, filing, letter writing and other clerical duties as assigned by the Mayor or City Administrator.

### **Supervision Responsibilities**

This is a non-supervisory position.

### **Job Duties and Responsibilities**

The job duties and responsibilities represented in this job description in no way imply that these are the only duties to be performed. Employees occupying the position will be required to follow any other job related instructions and to perform any other job-related duties requested by a supervisor. Specific duties and responsibilities include, but are not limited to:

- Organizes and maintains City files and records.

- Compiles, copies and distributes printed information to City employees and consultants, the public, businesses, state and other agencies, developers and contractors, vendors, and others as directed by the Mayor or City Administrator.
- Processes public information requests in accordance with state law.
- Processes land use applications, issues public notices, and establishes schedules for public hearings and other meetings.
- Drafts and compiles letters or correspondence to others at the direction of the Mayor or City Administrator.
- Provides information, within scope of knowledge, to the public or refers to the appropriate person or department.
- Prepares agendas, information packets and minutes for various meetings
- Organizes and maintains various lists, records, directories and other informational material as directed.
- Organizes and maintains city maps, plats, and civil design or other drawings.
- Organizes and manages individual small projects at the direction of the Mayor or City Administrator.
- Provides administrative services for the animal Control Program.
- Provides Passport services.
- Organizes City communications through the readerboard and web site.
- Provides Human Resource support to the City Administrator
- Provides backup support for the Cashier and Payroll.

### **Knowledge, Skills and Abilities**

While requirements may be representative of minimum levels of knowledge, skills and abilities, to perform this job successfully, the incumbent will possess the abilities or aptitudes to perform each duty proficiently and in a timely fashion.

- Ability to work on multiple projects simultaneously in a fast-paced and challenging environment.
- Ability to follow projects to completion and meet deadlines.
- Ability to deal with the public courteously and professionally.
- Excellent written and oral communication skills.
- Computer experience with word processing and spreadsheets.
- Ability to follow directions carefully and to work independently.
- Strong writing and proofreading skills.

### **Working Conditions**

Work is performed in an office setting. Close and constant work with computers exposes the individual to normal emissions from the computer monitor and repetitive motion tasks. The work area can be noisy at times.

## **Contact and Relationships**

The Administrative Assistant will have contact with City employees and consultants on a daily basis, as well as contact with the Mayor, City Council members and Commissioners or other appointees. Routine contacts may include local business people, school personnel, developers, contractors, vendors, members of the press, and some federal, state or county officials. The Administrative Assistant must have the ability to deal effectively with conflict, and present a professional, well-groomed and positive appearance at all times.

## **Physical Requirements**

The employee performing the duties of Administrative Assistant must be able to perform the bona fide occupational qualifications of the position with or without accommodation. If accommodation is required, the employee must specify how duties will be performed and what accommodation is required.

The individual in this position must have the ability to communicate in person or via telephone to interact with others. Operation of computers and other office equipment is an essential job function. Must have the ability to produce handwritten documents. The position may require sitting or standing for extended periods of time.

## **Recruiting Requirements**

- Two-Year Degree or Certificate of Completion in Business Management
- Experience in customer service/public relations desired
- Minimum 4 years experience in office or professional environment.
- Minimum 2 years experience in governmental setting
- Background in the use of standard office machines and equipment

## **Experience and Training**

Any combination of experience and training that provides the desired skills, knowledge and abilities.

All requirements are subject to possible modification to reasonably accommodate individuals with disabilities. However, some requirements may exclude individuals who pose a direct threat or significant risk to the health and safety of themselves or other employees.

*This job description does not constitute an employment agreement between the Employer and employee and is subject to change as the needs of the Employer and requirements of the job change.*

**Comparable Cities - Wages 2014**

80% of comparable

Service Years						10		3		8		13		10		7		5		10		9		8	
Name						Bethune		Robson		Helgein		Bingham		Vincenti		Hinds		O'Harra		Meek		Wolfe		Woods	
AWC Code						105				245		250				210		200		615		624		680	
	Population	Valuation	Mayor	Council	Steps	Administrator		City Clerk		Account1		Accountant Journey		City Treasurer		Clerical 2		Clerk 1		ParksRec		Bldg Official		Court Mngr	
						Low	High	Low	High	Low	High	Low	High	Low	High	Low	High	Low	High	Low	High	Low	High	Low	High
Yelm	7,915	\$609,619,300	\$2,500	\$600	7		\$10,990	\$3,990	\$4,765	\$3,804	\$4,542	\$4,586	\$5,475	\$4,586	\$5,475	\$3,359	\$4,011	\$3,258	\$3,890			\$5,055	\$6,035	\$4,953	\$5,915
Black Diamond	4,180	\$499,715,500				\$9,345	\$10,848	\$4,499	\$5,757	\$3,213	\$4,284	\$4,470	\$5,434	\$6,631	\$8,161	\$4,499	\$5,757	\$1,748	\$2,424	\$7,498	\$9,104	\$6,962	\$8,569	\$5,891	\$6,962
Milton	7,265	\$634,937,200	\$1,500	\$400	5	\$10,000	\$10,500	\$5,583	\$6,786	\$3,427	\$4,168			\$5,583	\$6,786	\$3,970	\$4,822	\$3,427	\$4,168			\$5,584	\$6,789		
Pacific	6,620	\$528,442,800	\$750	\$200	6	\$6,934	\$9,000	\$4,693	\$6,000	\$3,545	\$4,330	\$3,651	\$4,233	\$3,651	\$4,233	\$3,651	\$4,500							\$4,293	\$6,271
Fircrest	6,555	\$618,073,300	\$421	\$321	6	\$7,007	\$8,943	\$4,644	\$5,927	\$3,154	\$4,027	\$3,922	\$5,005			\$3,932	\$5,005	\$2,454	\$3,132	\$4,536	\$5,790	\$5,457	\$6,966	\$4,536	\$5,790
Buckley	4,430	\$366,697,200	\$500	\$250	6	\$8,418	\$10,262	\$4,775	\$5,821	\$3,586	\$4,157					\$3,650	\$4,231	\$2,679	\$3,106	\$4,453	\$5,428	\$5,121	\$6,243	\$4,453	\$5,428
Duval	7,325	\$699,978,400				\$9,100	\$10,296	\$2,972	\$4,816	\$2,573	\$4,421	\$2,972	\$4,816			\$3,043	\$4,924					\$4,489	\$6,337		
Steilacoom	6,060	\$591,241,000				\$10,030	\$11,734																	\$3,647	\$4,266
<b>Average</b>	<b>6,294</b>	<b>\$568,588,087.50</b>	<b>\$1,134</b>	<b>\$354</b>	<b>6</b>	<b>\$8,691</b>	<b>\$10,322</b>	<b>\$4,451</b>	<b>\$5,696</b>	<b>\$3,329</b>	<b>\$4,276</b>	<b>\$3,920</b>	<b>\$4,993</b>	<b>\$5,113</b>	<b>\$6,164</b>	<b>\$3,729</b>	<b>\$4,750</b>	<b>\$2,713</b>	<b>\$3,344</b>	<b>\$5,496</b>	<b>\$6,774</b>	<b>\$5,445</b>	<b>\$6,823</b>	<b>\$4,629</b>	<b>\$5,772</b>
Orting	7,065	\$435,048,557	\$1,000	\$100	8	\$7,084	\$8,713	\$3,588	\$4,413	\$2,948	\$3,628	\$3,848	\$4,732	\$4,332	\$5,327	\$3,037	\$3,735	\$2,699	\$3,319	\$3,251	\$3,998	\$5,700	\$7,011	\$4,286	\$5,271
Orting Actual						\$7,875		\$4,167		\$3,522		\$4,732		\$4,874		\$3,522		\$3,037		\$3,734		\$6,875		\$4,820	
% of Comps						76%		94%		82%		95%		79%		74%		98%		55%		101%		84%	

Service Yearsr	10		23		36		16		14111		616		14		2 - 11 - 1		7		18		Average of 6 years		4	
Name	Kinoa		Kaelin		Harpster		Rundle		Ewing / Huffman		Krantz / Harter		Thebeau		Bing/Kurk/Nale		Drake		Gard		8 Officers		Swanson	
AWC #	215		645		620		623		497		400/495?		420		400		655		320		310		302	
Position	Court Clerk		PW Director		PW Superv		Sewer Plant Superv		W 2		W1		MW2		MW1		Police Chief		Sgt / Lt		Officer		Clerk 1	
City	Low	High	Low	High	Low	High	Low	High	Low	High	Low	High	Low	High	Low	High	Low	High	Low	High	Low	High	Low	High
Yelm	\$3,481	\$4,159		\$7,990	\$5,045	\$6,024	\$5,372	\$6,414	\$3,632	\$5,240	\$4,388	\$5,240	\$3,936	\$4,697	\$3,480	\$4,159		\$8,035	\$6,473	\$6,702	\$4,796	\$5,728	\$3,413	\$4,077
Black Diamond	\$3,214	\$4,285	\$7,498	\$9,014	\$6,962	\$8,569			\$4,713	\$5,076	\$4,713	\$5,076	\$3,323	\$4,629	\$3,323	\$4,629	\$10,236	\$11,692	\$8,292	\$8,757	\$5,037	\$7,440	\$2,806	\$3,617
Milton			\$6,300	\$8,663	\$5,584	\$6,789	\$5,583	\$6,786	\$4,168	\$5,066	\$4,168	\$5,066	\$3,970	\$4,822	\$3,427	\$4,168	\$6,300	\$8,663	\$6,120	\$7,086	\$4,803	\$5,561	\$3,427	\$4,168
Pacific	\$3,442	\$4,110	\$5,441	\$7,000	\$4,359	\$5,054					\$4,360	\$5,054	\$3,651	\$4,500	\$3,441	\$4,233	\$5,333	\$9,024	\$6,592	\$7,500	\$4,412	\$6,250	\$3,149	\$4,069
Fircrest	\$3,063	\$3,909	\$5,842	\$7,456									\$3,591	\$4,584	\$3,206	\$4,092	\$6,666	\$8,507	\$5,311	\$6,779	\$4,700	\$5,999	\$2,454	\$3,132
Buckley	\$3,517	\$3,968			\$5,108	\$5,921	\$4,852	\$5,625	\$4,171	\$5,766	\$4,069	\$4,717	\$4,171	\$4,835	\$2,315	\$4,076	\$7,285	\$8,881	\$5,007	\$6,095	\$4,510	\$5,491	\$5,334	\$6,250
Duval			\$8,635	\$9,881	\$5,778	\$7,489	\$5,778	\$7,489	\$3,632	\$5,886			\$3,392	\$5,208	\$2,883	\$4,568	\$8,043	\$8,707	\$6,347	\$6,869	\$4,849	\$6,016	\$2,972	\$4,816
Steilacoom			\$8,419	\$9,849									\$3,921	\$4,586	\$3,356	\$3,928					\$4,897	\$6,455		
<b>Average</b>	<b>\$3,343</b>	<b>\$4,086</b>	<b>\$7,023</b>	<b>\$8,550</b>	<b>\$5,473</b>	<b>\$6,641</b>	<b>\$5,396</b>	<b>\$6,579</b>	<b>\$4,063</b>	<b>\$5,407</b>	<b>\$4,340</b>	<b>\$5,031</b>	<b>\$3,744</b>	<b>\$4,733</b>	<b>\$3,179</b>	<b>\$4,232</b>	<b>\$7,311</b>	<b>\$9,073</b>	<b>\$6,306</b>	<b>\$7,113</b>	<b>\$4,751</b>	<b>\$6,118</b>	<b>\$3,365</b>	<b>\$4,304</b>
Orting	\$3,129	\$3,848	\$5,700	\$7,011	\$4,595	\$5,651	\$4,332	\$5,327	\$3,628	\$4,462	\$3,418	\$4,205	\$3,319	\$4,082	\$3,127	\$3,848	\$5,872	\$7,440	\$4,774	\$5,872	\$4,242	\$5,217	\$2,948	\$3,628
Orting Actual	\$3,522		\$6,875		\$5,932		5327 - 5592?		4332 - 4596?		3735 - 4276?		\$4,225		3220 / 3735 / 3127		\$7,440		\$6,112		\$5,239		\$3,222	
	86%		80%		89%		81% - 85%		80% - 85%		74% - 85%		89%		94%		82%		86%		86%		76%	

CITY OF ORTING  
WASHINGTON  
ORDINANCE NO. 958

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AN ORDINANCE OF THE CITY OF ORTING, WASHINGTON, RELATING TO ADMINISTRATION OF THE CITY; AMENDING OMC CHAPTER 1-7; REPEALING AND RE-ENACTING OMC 1-7-3; ESTABLISHING THE OFFICE OF CITY TREASURER; ESTABLISHING THE DUTIES, AUTHORITY AND QUALIFICATIONS OF APPOINTIVE POSITIONS; AMENDING SECTIONS 2-3-1, 2-4-4, 2-4-6, 3-1-2, 3-1-5, 3-1-6, 3-1-9, 3-3-4, 3-3-5, 3-5A-5, 3-7-2, 5-1-4, 5-6-1, 5-8-1, 7-1-1, 7-3-1, 7-3-2, 8-2-3, 8-7-3, 9-1E-2, 9-1E-5, 9-2A-1, 9-2E-9, 9-2E-13, 9-5A-11, 10-2-3, 10-8-1, 11-4-1-E, 11-4-2-G, 11-5-2, 12-6-1, 15-6A-2, 15-3-1 AND CH. 4-5 OF THE ORTING MUNICIPAL CODE TO CONFORM TO THE AMENDMENTS SET FORTH HEREIN; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

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WHEREAS, the City Council has previously merged the offices of City Clerk and City Treasurer as codified at OMC 1-7-3; and

WHEREAS, the City Council has approved the creation of the separate office of City Treasurer and City Clerk; and

WHEREAS, state law provides at RCW 35A.12.020 that the authority, duties and qualifications of all appointive officers shall be prescribed by Ordinance, consistent with the provisions of RCW Title 35A; and

WHEREAS, the City Code currently does not describe the authority, duties and qualifications of City Administrator; and

WHEREAS, it is necessary to amend OMC Ch. 1-7 to set forth the authority, duties and qualifications of the office of the City Clerk, City Administrator, and the new office of City Treasurer; and

WHEREAS, it is necessary to amend references throughout the City Code to the combined office of City Clerk/Treasurer to reference the appropriate office with responsibility for the duties and functions previously assigned to the Clerk/Treasurer; and

WHEREAS, the City Council finds it to be in the best interests of the public health, safety and welfare to amend OMC Ch. 1-7 and the herein referenced provisions of the City Code, as set forth herein;

NOW, THEREFORE, the City Council of the City of Orting, Washington, do ordain as follows:

Section 1. Amendment of OMC 1-7-1 (City Officers Enumerated). Section 1-7-1 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revisions marks*) to read as follows:

1-7-1: CITY OFFICERS ENUMERATED:

The government of the City shall be vested in a Mayor and a council consisting of seven (7) members all elective with such powers as provided by law. The Mayor shall appoint a ~~clerk/treasurer~~ City clerk, treasurer, police chief and a municipal judge; and may appoint a city attorney, city administrator, public works director, and such police and other subordinate officers as may be provided for by ordinance, with such powers as authorized by law. All appointive officers shall hold office at the pleasure of the Mayor and shall not be subject to confirmation by the City Council, except that a municipal judge shall be appointed and confirmed as provided pursuant to OMC Chapter 1-10 and may be removed only upon conviction of misconduct or malfeasance in office, or because of physical or mental disability rendering him incapable of performing the duties of his office.

Section 2. Amendment of OMC 1-7-2 (Oath of Office; Bonds). Section 1-7-2 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revisions marks*) to read as follows:

1-7-2: OATH OF OFFICE; BONDS:

Every officer of the City, before entering upon the duties of his office, shall take and file with the Clerk ~~treasurer~~ his/her oath of office. The clerk ~~treasurer~~, treasurer, and police chief, ~~deputy clerk, municipal judge and court clerk~~, before entering upon the respective duties, shall also each execute a bond approved by the council in the following amounts, provided if more than one position is held by one person, then the bonding requirements for that person shall be satisfied by bonding for the one position with the highest bond:

Clerk	<u>\$5,000.00</u>
<del>#</del> Treasurer	\$5,000.00
<del>Deputy clerk</del>	<del>\$5,000.00</del>
Police chief	\$2,000.00
<del>Municipal judge</del>	<del>\$2,000.00</del>
<del>Court clerk</del>	<del>\$2,000.00</del>

Section 3. Amendment of OMC 1-7-3 (City Clerk/Treasurer). Section 1-7-3 of the Orting Municipal Code is hereby repealed in its entirety and re-enacted to be known and referred to as “City Appointive Officers; Duties; Qualifications” and shall read as follows:

1-7-3: APPOINTIVE OFFICERS; DUTIES; QUALIFICATIONS

A. NO EMPLOYMENT RIGHTS CREATED.

This section is not intended to create any employment right or benefit for an individual employee or appointive officer.

B. CITY CLERK.

1. City Clerk. There is hereby created the non-classified, at-will, management position and office of City Clerk to perform the duties and functions as set forth herein for such office under the direction and supervision of the City Administrator, or in the absence of the City Administrator, the Mayor or other designee.

2. Minimum Qualifications. The City Clerk shall possess one or more of the following qualifications:

- a. A certified municipal clerk designation;
- b. Experience in information science, archives and records management, business/public administration;
- c. Actual managerial or operational experiences in entity-wide records and information management field;
- d. Appointment as the City Administrator; or
- e. Such other qualifications as the Mayor determines demonstrate the requisite knowledge, experience, skills and competency to perform the duties of the office.

3. Duties; Authority. The City Clerk, under the supervision of the City Administrator, and subject to applicable general laws and ordinances, shall have, perform, keep and maintain the following duties and authority:

- a. Keep a full and true record (journal) of every act and proceeding of the City Council and keep such books, accounts and make such reports as may be required by the state auditor;
- b. Record all ordinances, annexing thereto his or her certificate giving the number and title of the ordinance, stating that the ordinance was published and posted according to law and that the record is a true and correct copy thereof. The record copy with the Clerk's certificate shall, in accordance with RCW 5.44.080, be prima facie evidence of the contents of the ordinance and of its passage and publication and shall be admissible as such evidence in any court or proceeding;
- c. Be custodian of the seal of the City and official City records, including, but not limited to, contracts, deeds, titles, and other evidences of City ownerships or

- responsibilities, and shall have authority to acknowledge the execution of all instruments by the City which require acknowledgment;
- d. Publish all legal notices unless otherwise provided by general law or ordinance;
  - e. Prepare and distribute the council agenda and packet for each council meeting;
  - f. Perform such duties as required by RCW 35A.42.040 (City Clerks and Controllers);
  - g. Perform the duties of public records officer in accordance with RCW 42.56.580;
  - h. Keep and maintain, for use and examination by the public, copies of any statute, ordinance, code, regulations, standard code of technical regulations, or any portion thereof, with amendments or additions, that has by ordinance been adopted by reference under authority of RCW 35A.12.140 or 35.21.180;
  - i. Provide copies of regulatory ordinances to state agencies in accordance with RCW 35.21.185 and other similar statutes requiring distribution of regulatory ordinances to state agencies;
  - j. Receive service of process on behalf of the City of Orting pursuant to RCW 4.28.080(2);
  - k. Receive assessment rolls for filing;
  - l. Attend all regular and special meetings of the City Council; provided that, in the absence of the City Clerk or other qualified person appointed by the City Clerk, the Mayor or the City Council may perform the duties of the office of the City Clerk at such meeting. (RCW 35A.12.110);
  - m. Be the Agent on behalf of the City appointed to receive any claim for damages filed pursuant to RCW Ch. 4.96 and shall keep and maintain such claim forms as are required pursuant to RCW Ch. 4.96 to be maintained by the City and filed with the State, and make such forms and instructions available to the public;
  - n. Perform such duties as required pursuant to the applicable budget statutes (RCW Ch. 35.33 – Code Cities; RCW Ch. 35.34 Biennial Budgets); and
  - o. Perform such other duties and possess such authority as assigned to the Office of City Clerk pursuant to law or ordinance, or as assigned by the City Administrator or Mayor.

#### C. CITY TREASURER.

1. City Treasurer. There is hereby created the non-classified, at-will, management position and office of City Treasurer to perform the duties and functions as set forth herein for such office under the direction and supervision of the City Administrator, or in the absence of the City Administrator, the Mayor or other designee.

2. Minimum Qualifications. The City Treasurer shall possess one or more of the following qualifications:

- a. Two year degree or Certificate of Completion in Accounting;
- b. Four year degree in accounting, or related field preferred;
- c. Seven years of experience in governmental accounting;
- d. Five years of progressively responsible work experience in a governmental supervisory and/or administrative capacity; or

- e. Such other qualifications as the Mayor determines demonstrate the requisite knowledge, experience, skills and competency to perform the duties of the office.

3. Duties; Authority. The City Treasurer, under the supervision of the City Administrator, and subject to applicable general laws and ordinances, shall have, perform, keep and maintain the following duties and authority:

- a. Maintain revenue, expenditure and general accounting ledgers;
- b. Keep separate and distinct accounts for each fund as required by law;
- c. Be responsible for the receipt, custody, and disbursement of all City funds and all local improvement district funds and other trust funds;
- d. Monitor all cash handling procedures;
- e. Coordinate the development of the annual budget and monitor revenues & expenditures;
- f. Prepare and maintain financial records of county, state and federal grants;
- g. Oversee accounts receivable and monthly age analysis reports and provide daily closeout function;
- h. Investment management in accordance with Washington State guidelines;
- i. Prepare annual financial report in accordance with Washington State Budgeting, Accounting and Reporting System (BARS);
- j. Prepare revenue and expenditure monthly reports for review by the City Administrator;
- k. Receive all demands and accounts against the City and with the necessary evidence in support thereof, submit the same to the City Council who shall by a vote direct whether the same shall be paid in whole or in part;
- l. When the City Council orders any account or demand to be paid, draw a warrant for the amount ordered paid, which warrant must be signed by the Mayor and attested by the City Clerk;
- m. Redeem claims and payroll warrants;
- n. Make all deposits of City funds in banks in the manner prescribed by law;
- o. Sign all checks and warrants of the City or, in case of his/her absence or inability to act, by his/her representative designated by him/her in writing; provided that, the Mayor may require that all such checks and warrants be counter-signed;
- p. Build and provide the Excise Tax Reports;
- q. Process Passports in accordance with applicable federal regulations;
- r. Administer and enforce OMC Title 3 (Revenue and Finances) and OMC Title 4 (Business and License Regulations), including by way of example and not limitation, processing business license applications, billing, receipt and collection of occupation, utility tax, gambling tax, lodging tax, and business license payments, auditing taxpayer returns, books and accounts to determine the correct tax owing, conducting investigations to determine whether a person or firm should be registered and paying their fair share of tax; preparing and sending out delinquent penalty and additional assessment notices, and adopting, publishing and enforcing rules and regulations for the proper administration of OMC Title 3 and Title 4;

- s. Keep an accurate and detailed account of all collections and disbursements;
- t. Post receivables;
- u. Establish utility billing, accounts payable and payroll procedures;
- v. Supervise accounts payable, utility billing, audit, and collection procedures;
- w. Communicate with customers or others in person or via telephone;
- x. Assist with problems, complaints, and customer concerns;
- y. Provide A/P billing of City debt;
- z. Comply with the requirements of RCW 35A.42.010 (City Treasurer – Miscellaneous Authority and Duties);
- aa. Perform routine office tasks as required; and
- bb. Perform such other duties and possess such authority as assigned to the Office pursuant to law or ordinance, or as assigned by the City Administrator or Mayor.

4. Additional Duties; Human Resources. The City Treasurer, under the supervision of the City Administrator, and subject to applicable general laws and ordinances, shall have, perform, keep and maintain the following additional duties and authority:

- a. Serve as Personnel Officer for the City;
- b. Direct and administer uniform human resources policies, procedures and programs including City-wide recruitment, classification, compensation, benefits, labor relations, training and professional development; provide advice, problem mitigation/resolution, and counsel to City officials and staff regarding human resource issues;
- c. Keep and maintain personnel files for City employees; provided that, personnel files for commissioned law enforcement officers shall be kept and maintained by the Chief of Police;
- d. Provide payroll functions including necessary reports;
- e. Investigate whistleblower and other complaints of employee/public official misconduct; provided that, a complaint involving the treasurer shall be directed to the City Administrator for investigation and complaints involving commissioned law enforcement officers and volunteers, other than the Chief of Police, shall be investigated by the Chief of Police;
- f. Make recommendations and/or provide guidance to the Mayor regarding disciplinary actions; and
- g. Perform such other duties related to human resources as assigned by the City Administrator or Mayor, or as may be otherwise provided by law or ordinance.

#### D. CITY ADMINISTRATOR.

1. City Administrator. There is hereby created the non-classified, at-will, management position and office of City Administrator to perform the duties and functions as set forth herein for such office under the direction and supervision of the Mayor, or in the absence of the Mayor, the Deputy Mayor.

The City Administrator assists in supervising the City's department heads and all subordinate personnel and assists in managing the City government on behalf of the Mayor to implement City Council policies and goals and the duly enacted ordinances of the City. The individual serving in this position provides advice and counsel to the Mayor and department heads concerning fiscal and administrative alternatives and options.

Nothing herein is intended to abrogate or diminish the authority granted to the Mayor pursuant to RCW 35A.12.100 as chief executive and administrative officer of the City.

2. Minimum Qualifications. The City Administrator shall possess one or more of the following qualifications:

- a. A graduate of a recognized college or university;
- b. Experience in public administration;
- c. Experience in financial administration, accounting and/or personnel management or similar fields as deemed appropriate by the Mayor; or
- d. Such other qualifications as the Mayor determines demonstrate the requisite knowledge, experience, skills and competency to perform the duties of the office.

3. Duties; Authority. The City Administrator, under the direction and supervision of the Mayor, or in the absence of the Mayor, the Deputy Mayor, and subject to applicable general laws and ordinances, shall have, perform, keep and maintain the following duties and authority:

- a. Provide a preliminary budget proposal to the Mayor and City Council each fiscal year;
- b. Keep the Mayor fully informed of the financial condition of the City, to include anticipated future needs;
- c. Utilize financial and administrative expertise to perform analysis and provide special reports to the Mayor to facilitate decision-making;
- d. Provide advice and guidance with respect to any issue affecting the business or the well-being of the City;
- e. Participate in related committee work or prepare special projects to accomplish same;
- f. Prepare administrative or financial reports for the Mayor;
- g. Make recommendations to the Mayor regarding adoption of such financial measures as may be deemed appropriate or expedient;
- h. Assist in supervising duties of the department heads;
- i. Participate as a member of the City's bargaining committee in all labor negotiations;
- j. Attend meetings of the City Council and such other meetings as may be suggested or required by the Mayor;
- k. Supervise the activities of the City Clerk and City Treasurer;
- l. General supervision of all City employees;

- m. Coordinate the activities and functions of the various City offices, departments, commissions, and boards in carrying out the required mandates of City ordinances and the policies of the Mayor and the City Council;
- n. Administer and supervise the carrying out of decisions, regulations, and policies of the various City departments, commissions, and boards; provided, that nothing herein shall be construed to abridge or to limit the responsibilities or authority of a civil service commission relative to uniformed personnel;
- o. Report regularly to the Mayor and the City Council concerning the status of all assignments, duties, projects, and functions of the various City offices, departments, commissions, and boards;
- p. Supervise all purchasing by the various City officers, departments, commissions, and boards, for the purpose of keeping the same within the limitation of the adopted budget and any long-range planning projected for the City;
- q. Maintain a current capital improvements program based on long-range plans and policies developed by the City;
- r. Analyze all facets of proposed capital expenditures in order to facilitate the decisions of the Mayor and the City Council;
- s. Assist each department in ascertaining whether or not all City departments are adequately and properly manned and organized in order to carry out their functions;
- t. Represent the City at meetings with other governmental units, agencies, commissions, and associations as directed by the Mayor;
- u. Be informed about and remain cognizant of federal and state grant and loan opportunities that could be of pecuniary value to the City, and to alert the proper City officials to any opportunities for taking advantage of federal and state grants which could benefit the City;
- v. Coordinate and work with all other municipal corporations;
- w. Conduct the City's business with the public (i.e., answer questions, provide information);
- x. Seek funding sources and prepares and processes grant and furtherance of municipal planning goals;
- y. Plan and prepare grants and monitor resultant program activity;
- z. Administer, enforce and implement the City development code (OMC titles 12, 13 and 15) and the Flood Control Code (OMC title 14); the Critical Areas and Shoreline Code (OMC Title 11); and, the Subdivision Regulations (OMC title 13);
- aa. Be the SEPA Responsible Official in accordance with OMC 15-14-2-4;
- bb. Lead, develop, and execute an economic development program or programs designed to foster economic vitality;
- cc. Research, plan, and implement development projects;
- dd. Lead development efforts for neighborhoods and business districts;
- ee. Advise other departments, the Mayor, and the City Council on issues and opportunities relating to economic development; and
- ff. Perform such other duties and possess such authority as assigned to the Office pursuant to law or ordinance, or as assigned by the Mayor.

4. Combination of Position. The Mayor may combine the office and position of City Administrator with any other appointive position in the City; provided that, when combined, the compensation shall be fixed by the City Council for the combined office and shall not necessarily be the total of the compensation fixed for each office individually.

5. Exclusive Employment. The City Administrator shall work exclusively for the City and shall not be allowed to work for any other municipality during his/her term as City Administrator.

6. Council Member Ineligible. No person elected to membership on the City Council shall, subsequent to such election, be eligible for the appointment of City Administrator until one year has elapsed following the expiration of the last term for which he/she was elected.

7. Mayoral Vacancy/Absence. In the event a vacancy occurs in the office of Mayor, or the Mayor is absent from office, the City Administrator shall report directly to the Deputy Mayor.

Section 4. Amendment of OMC 1-7-4 (Social Security System Participation). Section 1-7-4 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revision marks*) to read as follows:

1-7-4: SOCIAL SECURITY SYSTEM PARTICIPATION:

A. Membership: This municipality shall become a participant in the social security system and the benefits of old age and survivors' insurance shall be extended to its employees and officers.

B. Execution And Delivery Of Plan; Extension Of Coverage: The Mayor and the ~~clerk/treasurer~~ City Treasurer are authorized to execute and deliver to the Washington department of employment security for its approval the plan or plans required under the provisions of section 5 of said enabling act and of the Social Security Act to extend coverage to the employees and officers of this Municipality and to do all other things necessary to that end.

C. Payments To Contribution Fund; Payroll Deductions: The proper fiscal officers are authorized to make all required payments into the contribution fund established by the enabling act and to establish such system of payroll deductions from the salaries of employees and officers as may be necessary to their coverage under the Old Age and Survivors' Insurance System.

D. Officials To Carry Out System Requirements: The proper officials of the Municipality shall do all things necessary to the continued implementation of the system.

E. Effective Date Of Participation: This Municipality shall become a participant in the Social Security System effective as of January 1, 1951.

Section 5. Amendment of OMC 1-7-5 (Retirement System). Section 1-7-5 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revision marks*) to read as follows:

1-7-5: RETIREMENT SYSTEM:

A. Membership: The City authorizes and approves the membership and participation of its eligible employees in the Washington Public Employees' Retirement System pursuant to RCW 41.40.410, and authorizes the expenditure of the necessary funds to cover its proportionate share for participation in the system.

B. Transmission Of Ordinance To Retirement Board: The ~~clerk/treasurer~~ City Clerk is directed to transmit a certified copy of the ordinance codified in this Chapter to the Retirement Board of said system as evidence of such authorization and approval.

C. Effective Date Of Participation: Participation membership in the Washington Public Employees' Retirement System shall commence January 1, 1969.

Section 6. Amendment of OMC 1-7-8 (Care Of City Property). Section 1-7-8 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revision marks*) to read as follows:

1-7-8: CARE OF CITY PROPERTY:

A. Inventory Of Property: It shall be the duty of the ~~clerk/treasurer~~ City Clerk to take an inventory of all property belonging to or controlled by the City, and keep in a suitable place a list of such property. An annual report shall be made to the Mayor and City Council at its first meeting in January of each year, showing the current status of all property.

B. Receipt For Property Belonging To City: Any City officer or employee in the service of the City to whom shall be entrusted the care of any property belonging to the City shall duly receipt for same, and before any final settlement for any service rendered by any City officer or employee of the City all City property for which he is responsible shall be turned over and he shall receive the ~~clerk/treasurer~~ City Clerk's receipt for same, except for the ~~clerk/treasurer~~ City Clerk who shall require the Mayor's receipt.

C. Loan Of City Property: It is unlawful for any City officer or employee in the service of the City to whom is entrusted the care of any property belonging to the City to loan same to any person or use same for his own personal use or for any other purpose other than for the use and benefit of the City. Any person who violates any of the provisions of this subsection C is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in Section 1-4-1 of this Code.

Section 7. Amendment of OMC 2-3-1 (Board Established; Membership). Section 2-3-1 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revision marks*) to read as follows:

2-3-1: BOARD ESTABLISHED; MEMBERSHIP:

There is hereby established a Board of Trustees as set forth in RCW 41.50.055, consisting of the Mayor, City Clerk/~~Treasurer~~, and one Councilmember to be designated by the City Council, the Fire Chief, and one member of the Fire Department to be elected by the members of such Fire Department for a term of one year, and annually thereafter.

Section 8. Amendment of OMC 2-4-4 (Cemetery Lots). Section 2-4-4 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revision marks*) to read as follows:

2-4-4: CEMETERY LOTS:

A. Purchase; Deed; Maintenance Clause: For each grave, lot or other parcel of ground sold in the cemetery a deed shall be issued to the purchaser thereof, which shall be signed by the Mayor and City Clerk/~~Treasurer~~ as are other conveyances for the City, and each deed shall contain a clause providing that such parcel of ground shall receive perpetual care such as will maintain it in a neat and attractive appearance; provided, however, that no deed shall be delivered until the purchase price of the parcel of ground shall be fully paid.

B. Resale Of Lots To City: No cemetery lot, tract, or grave space purchased from the City shall be resold to any person other than the City. The City will, upon written application, return the purchase price of any lot, tract, or grave space at the price originally charged by the City.

Section 9. Amendment of OMC 2-4-6 (Interment Or Disinterment Requirements). Section 2-4-6 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revision marks*) to read as follows:

2-4-6: INTERMENT OR DISINTERMENT REQUIREMENTS:

No person or persons except bona fide employees of the City may dig any grave or make any interment or disinterment in the Orting Cemetery. Owners of graves must make arrangements for such interment or disinterment with the City Clerk. ~~Treasurer~~. No interments or disinterments may be made unless all fees for graves and for services have been paid or satisfactorily arranged for with the City Clerk/~~Treasurer~~.

Section 10. Amendment of OMC 3-1-2 (License Required; Application; Duration). Section 3-1-2 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revision marks*) to read as follows:

3-1-2: LICENSE REQUIRED; APPLICATION; DURATION:

After July 1, 1968, no person shall engage in or carry on any business, occupation, act or privilege for which a tax is imposed by section 3-1-3 of this chapter without first having obtained, and being the holder of, a license so to do, to be known as an occupation license. Each person shall promptly apply to the City ~~clerk~~/Treasurer for such license upon such forms as the City prepares and provides, giving such information as the City ~~clerk~~/Treasurer deems reasonably necessary to administer and enforce this chapter, and, upon acceptance of such application the City ~~clerk~~/Treasurer shall thereupon issue such license to the applicant. Such occupation license is personal and nontransferable, and shall be renewed annually on January 1, conditioned upon payment of the appropriate fee.

Section 11. Amendment of OMC 3-1-5 (Payment Periods; Return Requirements). Section 3-1-5 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revision marks*) to read as follows:

3-1-5: PAYMENT PERIODS; RETURN REQUIREMENTS:

The tax imposed by section 3-1-3 of this chapter shall be due and payable quarterly on November 15 of each year for the period ending September 30; on February 15 of each year for the period ending December 31 of the preceding year; on May 15 of each year for the period ending March 31 of such year; and on August 15 of each year for the period ending June 30 of such year. On or before the due date, the taxpayer shall file with the City ~~clerk~~/Treasurer a written return, upon such forms and setting forth such information as the City ~~clerk~~/Treasurer reasonably requires, together with the payment of the amount of the tax.

Section 12. Amendment of OMC 3-1-6 (Taxpayer Records Required). Section 3-1-6 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revision marks*) to read as follows:

3-1-6: TAXPAYER RECORDS REQUIRED:

Each taxpayer shall keep records reflecting the amount of his gross operating revenues, and such records shall be open at all reasonable times to the inspection of the City ~~clerk~~/Treasurer, or duly authorized persons, for verification of the tax returns or for the fixing of the tax of a taxpayer who fails to make such returns. Such record shall be maintained and available for inspection for three (3) years after the due date of any applicable tax.

Section 13. Amendment of OMC 3-1-9 (Additional Rules; Compliance Required). Section 3-1-9 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revision marks*) to read as follows:

3-1-9: ADDITIONAL RULES; COMPLIANCE REQUIRED:

The City ~~Clerk~~/Treasurer is authorized to adopt, publish and enforce, from time to time, such rules and regulations for the proper administration of this chapter as are necessary, and it is a violation of this chapter to violate or to fail to comply with any such rule or regulation lawfully promulgated under this chapter.

Section 14. Amendment of OMC 3-3-4 (Collection of Tax; Remission). Section 3-3-4 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revision marks*) to read as follows:

3-3-4: COLLECTION OF TAX; REMISSION:

Every person owning or conducting any place where any person is subject to the foregoing tax, shall collect the tax from each person so entering or taking part therein, and shall remit the same to the City ~~Clerk~~/Treasurer within thirty (30) days from the day the tax is due (except temporary entertainment which shall be remitted immediately after collection) and take the receipt of the City ~~Clerk~~/Treasurer therefor, and shall be liable to the City for the full amount of the tax for failure so to do.

Section 15. Amendment of OMC 3-3-5 (Monies Paid Into General Fund). Section 3-3-5 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revision marks*) to read as follows:

3-3-5: MONIES PAID INTO GENERAL FUND:

The City ~~Clerk~~/Treasurer shall, within ten (10) days, pay the same into the General Fund of the City.

Section 16. Amendment of OMC 3-5A-5 (Execution of Contract). Section 3-5A-5 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revision marks*) to read as follows:

3-5A-5: EXECUTION OF CONTRACT:

The Mayor and City ~~Clerk~~/Treasurer are authorized to enter into a contract with the Department of Revenue for the administration of this tax.

Section 17. Amendment of OMC 3-7-2 (Payrolls Fund). Section 3-7-2 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revision marks*) to read as follows:

3-7-2: PAYROLLS FUND:

A. Fund: There is created in the treasury of the City a special fund to be known and designated as "Payrolls Fund".

B. Purpose: The special fund is created for the purpose of paying all monies due employees for salaries and wages and any and all payroll deductions subsequent to April 1, 1971.

C. Transfer Of Funds: For the purpose of making expenditures from the payrolls fund as herein authorized the City ~~clerk~~/Treasurer is empowered to make current transfers of monies to the fund from the various other City funds heretofore or hereafter established in the City treasury against which such expenditures shall be properly chargeable.

Section 18. Amendment of OMC Chapter 4-5 (Gambling Activities Tax). Chapter 4-5 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revision marks*) to read as follows:

4-5-1: STATE STATUTES INCORPORATED:

The provisions of RCW 9.46 are incorporated in total by reference, including any amendments thereto. Taxation of gambling devices is covered by RCW 9.46.110.

4-5-2: PERSONS SUBJECT TO TAX; RATES:

A. Charitable, Nonprofit And Other Organizations: There is levied upon all charitable or nonprofit organizations and all associations conducting or operating within the City any of the activities listed below, a tax in the following amounts to be paid to the City:

1. Punchboards Or Pull-Tabs: Any punchboards or pull-tabs, in the amount of ten percent (10%) of the gross receipts less the amount paid out as prizes, generated directly from the operation of the punchboards and/or pull-tabs themselves.

2. Card Playing: Card playing in the amount of ten percent (10%) of the gross receipts received as fees charged persons for the privilege of playing in card games; provided, however, a minimum tax of one hundred dollars (\$100.00) per year shall be imposed on each licensee, said tax payable at such time as the licensee is authorized to conduct social card games within the City.

3. Bingo: Bingo in the amount of ten percent (10%) of gross revenues, less amounts distributed for prizes.

B. Taverns And Restaurants: There is levied upon all commercial stimulant operators (taverns and restaurants) conducting or operating within the City any of the activities listed below, a tax in the following amounts to be paid to the City:

1. Punchboards Or Pull-Tabs: Any punchboards or pull-tabs, in the amount of four percent (4%) of the gross receipts generated directly from the operation of the punchboards and/or pull-tabs themselves.

2. Card Playing: Card playing in the amount of ten percent (10%) of the gross receipts received as fees charged persons for the privilege of playing in card games; provided, however, a minimum tax of one hundred dollars (\$100.00) per year shall be imposed on each licensee, said tax payable at such time as the licensee is authorized to conduct social card games within the City.

3. Bingo: Bingo in the amount of ten percent (10%) of gross revenues, less amounts distributed for prizes.

#### 4-5-3: QUARTERLY COMPUTATION AND PAYMENT; EXCEPTIONS:

Each of the various taxes imposed by this Chapter shall be computed on the basis of activity during each calendar quarter year, shall be due and payable in quarterly installments, and remittance therefor, together with return forms, shall be made to the City, on or before the last day of the month next succeeding the quarterly period in which the tax accrued, that is, on January 31, April 30, July 31 and October 31 of each year; provided, that the following exceptions to this payment schedule shall be allowed, or required:

A. Whenever any person, association or organization taxable hereunder conducting or operating a taxable activity for a period of more than two (2) consecutive weeks, quits business, sells out, otherwise disposes of its business or terminates the business, any tax due hereunder shall become due and payable, and such taxpayer shall, within ten (10) days thereafter, make a return and pay the tax due.

B. Whenever it appears to the City ~~Clerk~~/Treasurer that the collection of taxes from any person, association or organization may be in jeopardy, the City ~~Clerk~~/Treasurer, after not less than ten (10) days' notice to the taxpayer, is authorized to require that taxpayer to remit taxes and returns at such shorter intervals than quarterly or annually, as the City ~~Clerk~~/Treasurer shall deem appropriate under the circumstances.

#### 4-5-4: ADMINISTRATION AND COLLECTION; REPORT TO STATE:

A. Payment And Collection: Administration and collection of the various taxes imposed by this Chapter shall be the responsibility of the City ~~Clerk~~/Treasurer. Remittance of the amount due shall be accompanied by a completed return form prescribed and provided by the City ~~Clerk~~/Treasurer. The taxpayer shall be required to swear and affirm that the information given in the return is true, accurate and complete.

B. Return Forms: The City ~~Clerk~~/Treasurer is authorized, but not required, to mail to taxpayers forms for returns. Failure of the taxpayer to receive such a form shall not excuse a taxpayer from making the return and timely paying all taxes due. The City ~~Clerk~~/Treasurer shall make forms available to the public in reasonable numbers in the City ~~Clerk~~/Treasurer's office during regular business hours.

C. State Report: In addition to the return form, a copy of the taxpayer's quarterly report to the Washington State Gambling Commission required by WAC 230-08 for the period in which the tax accrued, shall accompany remittance of the tax amount due.

4-5-5: PAYMENT METHOD:

Taxes payable hereunder shall be remitted to the City ~~Clerk~~/Treasurer on or before the time required by bank draft, certified check, cashier's check, personal check, money order or in cash. If payment is made by draft or check, the tax shall not be deemed paid until the draft or check is honored in the usual course of business, nor shall the acceptance of any sum by the City ~~Clerk~~/Treasurer be an acquittance or discharge of the tax unless the amount paid is the full amount due. The return, and copy of quarterly report to the Washington State Gambling Commission, shall be filed in the office of the City ~~Clerk~~/Treasurer after notation by that office upon the return of the amount actually received from the taxpayer.

4-5-6: FAILURE TO MAKE PAYMENT:

A. Penalty Amount: If full payment of any tax or fee due under this Chapter is not received by the City ~~Clerk~~/Treasurer on or before the date due, there shall be added to the amount due a penalty fee as follows:

1. 1 - 10 days late, 10 percent of tax due
2. 11 - 60 days late, 30 percent of tax due

but in no event shall the penalty amount be less than ten percent (10%). In addition to this penalty, the City ~~Clerk~~/Treasurer may charge the taxpayer interest of nine percent (9%) of all taxes and fees due for each thirty (30) day period, or portion thereof, that said amounts are past due.

B. Civil And Criminal Violation: Failure to make payment in full of all tax amounts, and penalties, within sixty (60) days following the day the tax amount initially became due shall be both a civil and a criminal violation of this Section.

4-5-7: CONDUCTING TAXABLE ACTIVITY; DECLARATION OF INTENTION:

A. Filing Declaration: In order that the City may identify those persons who are subject to taxation under this Chapter, each person, association or organization, including charitable and nonprofit organizations, shall file with the City ~~Clerk~~/Treasurer a sworn declaration of intent to conduct an activity taxable under this Chapter upon a form to be prescribed by the City ~~Clerk~~/Treasurer together with a copy of the license issued therefor by the Washington State Gambling Commission. The filing shall be made not later than ten (10) days prior to conducting or operating the taxable activity. No fee shall be charged for such filing, which is not for the purpose of regulation of this activity but for the purposes of administration of this Chapter only.

B. Failure To File; Tax Liability: Failure to timely file shall not excuse any person, association or organization from any tax liability.

#### 4-5-8: MAINTAINING RECORDS:

A. Duration Of Keeping Records: Each person engaging in an activity taxable under this Chapter shall maintain records respecting that activity which truly, completely and accurately discloses all information necessary to determine the taxpayer's tax liability hereunder during each base tax period. Such records shall be kept and maintained for a period of not less than three (3) years. In addition, all information and items required by the Washington State Gambling Commission under WAC 230-08, and the United States Internal Revenue Service respecting taxation, shall be kept and maintained for the periods required by those agencies.

B. Inspection And Audit: All books, records and other items required to be kept and maintained under this Chapter shall be subject to, and immediately made available for, inspection and audit at any time, with or without notice, at the place where such records are kept, upon demand by the City ~~Clerk~~/Treasurer or his designees, for the purpose of enforcing the provisions of this taxing ordinance codified herein.

C. Records Outside City Jurisdiction: Where a taxpayer does not keep all of the books, records or items required to be kept or maintained under this Chapter in this jurisdiction so that the City ~~Clerk~~/Treasurer may examine them conveniently, the taxpayer shall either:

1. Produce all of the required books, records or items within this jurisdiction for such inspection within ten (10) days following a request of the local official that he do so; or

2. Bear the actual cost of inspection by the City ~~Clerk~~/Treasurer or his designee, at the location at which such books, records or items are located, provided that a taxpayer choosing to bear these costs shall pay in advance to the City ~~Clerk~~/Treasurer the estimated cost thereof, including, but not limited to, round-trip fare by the most rapid means, lodging, meals and incidental expenses. The actual amount due, or to be refunded for expenses shall be determined following said examination of the records.

#### D. Jeopardy Fee Or Tax Assessment:

1. A taxpayer who fails, neglects or refuses to produce such books and records either within or without this jurisdiction, in addition to being subject to other civil and criminal penalties provided by this Chapter shall be subject to a jeopardy fee or tax assessment by the City ~~Clerk~~/Treasurer.

2. This penalty fee or jeopardy assessment shall be deemed prima facie correct and shall be the amount of fee or tax owing the City ~~Clerk~~/Treasurer by the taxpayer unless he can prove otherwise by competent evidence. The taxpayer shall be notified by mail by the City ~~Clerk~~/Treasurer of the amount of tax so determined by jeopardy assessment, together with any

penalty and/or interest, and the total of such amounts shall thereupon become immediately due and payable.

4-5-9: ERRONEOUS PAYMENTS:

If, upon application by a taxpayer for a refund or for an audit of his records, or upon any examination of the returns or records of any taxpayer, it is determined by the City ~~Clerk~~/Treasurer that within three (3) years immediately preceding receipt by the City ~~Clerk~~/Treasurer of the application of the taxpayer for a refund, or an audit, or, in the absence of such an application, within the three (3) years immediately preceding the commencement by the City ~~Clerk~~/Treasurer of such examination:

A. Overpayment: A tax or other fee has been paid in excess of that properly due, the total excess paid over all amounts due the City within such period of three (3) years shall be credited to the taxpayer's account or shall be allowed with respect to the City ~~Clerk~~/Treasurer more than three (3) years before the date of such application or examination;

B. Underpayment: A tax or other fee has been paid which is less than that properly due, or no tax or other fee has been paid, the City ~~Clerk~~/Treasurer shall mail a statement to the taxpayer showing the balance due, including separate, additional violation of this Chapter, both civil and criminal, if the taxpayer fails to make payment in full within ten (10) calendar days of such mailing.

4-5-10: FAILURE TO MAKE RETURN:

If any taxpayer fails, neglects or refuses to make and file his return as and when required under this Chapter, the City ~~Clerk~~/Treasurer is authorized to determine the amount of tax payable, together with any penalty and/or interest assessed under the provisions of this Chapter, and by mail to notify such taxpayer of the amount so determined, which amount shall thereupon become the tax and penalty and/or interest and shall become immediately due and payable.

4-5-11: TAX ADDITIONAL TO OTHERS:

The tax herein levied shall be additional to any license fee or tax imposed or levied under the law or any other ordinance of the City except as herein otherwise expressly provided.

4-5-12: DEBT TO CITY:

Any tax due and unpaid under this Chapter and all penalties or fees shall constitute a debt to the City, a municipal corporation, and may be collected by court proceedings the same as any other debt in like amount which shall be in addition to all other existing remedies.

4-5-13: LIMITATION ON RIGHT TO RECOVERY:

The right of recovery by the City from the taxpayer for any tax provided hereunder shall be outlawed after the expiration of three (3) calendar years from the date said tax became due. The right of recovery against the City because of overpayment of tax by any taxpayer shall be outlawed after the expiration of the three (3) calendar years from date such payment was made.

4-5-14: VIOLATION; PENALTY:

Any person violating or failing to comply with any of the provisions of this Chapter or any lawful rule or regulation adopted by the City ~~Clerk~~ Treasurer pursuant thereto is guilty of a misdemeanor.

Section 19. Amendment of OMC 5-1-4 (Offensive Noise Disturbances). Section 5-1-4 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revision marks*) to read as follows:

5-1-4: OFFENSIVE NOISE DISTURBANCES:

A. Definitions: The following terms contained in this section are defined as follows:

NOISE DISTURBANCE: Any sound which may be received by the listener at a level above that of normal conversational decibels.

NOISE SENSITIVE ZONE: Any areas such as schools, hospitals, nursing homes, convalescent centers and other areas where lower than normal volumes of outside noise interference are necessary in order to carry out the activities therein.

B. Prohibitions: The following activities are hereby prohibited as a nuisance within the corporate limits of the City:

1. Radio Or Television: Operating, playing or permitting the operation or playing of any radio, television, phonograph, musical instrument, sound amplifier, or similar device which produces, reproduces or amplifies sound:

a. Between the hours of ten o'clock (10:00) P.M. and seven o'clock (7:00) A.M. in such a manner as to create a noise disturbance across a real property boundary or within a noise sensitive zone, except for activities sponsored by a public or private nonprofit agency or for which a permit has been issued.

b. In such a manner as to create a noise disturbance beyond fifty feet (50') from such device, when operated in or on a motor vehicle on a public right of way or public space or in a boat on public waters.

2. Loudspeakers:

a. Using or operating for any noncommercial purpose any loudspeaker, public address system, or similar device between the hours of ten o'clock (10:00) P.M. and seven o'clock (7:00)

A.M., so that the sound therefrom creates a noise disturbance across a residential real property boundary or within a noise sensitive zone.

b. Using or operating for any commercial purpose any loudspeaker, public address system, or similar device: 1) so that the sound therefrom creates a noise disturbance across a real property boundary or within a noise sensitive zone; or 2) between the hours of ten o'clock (10:00) P.M. and seven o'clock (7:00) A.M. on a public right of way or public space except for activities sponsored by a public or private nonprofit agency or for which a permit has been issued.

3. Tools Or Equipment: Operating or permitting the operation of any tools or equipment used in construction, drilling or demolition work between the hours of ten o'clock (10:00) P.M. to seven o'clock (7:00) A.M. on weekdays or at any time on Sundays or holidays whereby the sound therefrom creates a noise disturbance across a residential real property boundary or within a noise sensitive zone except for emergency work or public service utilities for which a permit has been issued.

C. Permits: The City Clerk/~~Treasurer~~ or his designated representative, in consultation with the Public Works Director, City Administrator, and/or Police Chief, may issue permits for the production of noise which exceeds the limitations designated herein or is produced at times prohibited herein, upon written application and for reasonable costs.

Section 20. Amendment of OMC 5-6-1 (Hazardous Waste Management Plan Adopted). Section 5-6-1 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revision marks*) to read as follows:

5-6-1: HAZARDOUS WASTE MANAGEMENT PLAN ADOPTED:

The City hereby adopts and incorporates herein by reference the hazardous waste management plan adopted by the City of Tacoma in Pierce County entitled "Tacoma - Pierce County Local Hazardous Waste Management Plan - Supplemental Draft, October 1990", one copy of which is on file with the City Clerk/~~Treasurer~~.

Section 21. Amendment of OMC 5-8-1 (Permissible Maximum Noise Levels). Section 5-8-1 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revision marks*) to read as follows:

5-8-1: PERMISSIBLE MAXIMUM NOISE LEVELS:

The "maximum environmental noise levels" rules promulgated by the department of ecology and codified in the Washington administrative code at title 173, chapter 173-60, one copy of which is on file with the City Clerk/~~Treasurer~~, and any subsequent amendments therefor, are adopted and made a part hereof as though fully set forth in this chapter, and adopted as the maximum environmental noise levels for the City.

Section 22. Amendment of OMC 7-1-1 (Ordinance Adopted). Section 7-1-1 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revision marks*) to read as follows:

7-1-1: ORDINANCE ADOPTED:

A. Adopted By Reference: The "Washington Model Traffic Ordinance", chapter 308-330 WAC, is hereby adopted by reference as the traffic ordinance of the City as if set forth in full. One copy of said Model Traffic Ordinance shall be on file in the office of the City Clerk/~~Treasurer~~.

B. Sections Not Adopted: The following sections of the MTO are not adopted by reference and are expressly deleted: WAC 308-330-255, 500, 505, 510, 515, 520, 525, 530, 535, and 540, all of which pertain to the licensing of bicycles.

Section 23. Amendment of OMC 7-3-1 (Restricted Streets; Permit Required). Section 7-3-1 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revision marks*) to read as follows:

7-3-1: RESTRICTED STREETS; PERMIT REQUIRED:

It is unlawful for a person to ride or to lead a horse in the public parks, or upon the sidewalks, or upon the following sections of streets within the City: on Washington Street from Whitesell Street to Bridge Street; and on Van Scoyoc Street from Calistoga Avenue to Bridge Street; unless said person has first obtained a permit from the City Clerk/~~Treasurer~~.

Section 24. Amendment of OMC 7-3-2 (Permit Application; Fee). Section 7-3-2 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revision marks*) to read as follows:

7-3-2: PERMIT APPLICATION; FEE:

Applications for said permits shall be filed with the City Clerk/~~Treasurer~~, and a permit shall be issued for one day only upon the payment of a fee as prescribed by resolution of the Mayor and City Council.

Section 25. Amendment of OMC 8-2-3 (Grade Establishment; Permit). Section 8-2-3 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revision marks*) to read as follows:

8-2-3: GRADE ESTABLISHMENT; PERMIT:

A. Grades: Grades for construction, repair and/or replacement required by this chapter shall be established by the City.

B. Permit: A permit is required for all sidewalk repairs over sixteen (16) square feet of surface.

C. Fees: There shall be a minimum fee as determined by resolution of the Mayor and City Council to cover administration and inspection. If the City engineer, in coordination with the building inspector, is required to set grades and/or locations, the applicant shall pay to the ~~City~~/City Treasurer the estimated cost of the engineering fees as set by the City, and upon completion of engineering, the applicant shall be responsible for the actual costs of engineering fees.

D. Compliance With Specifications: Repairs must meet sidewalk specifications shown in this chapter.

Section 26. Amendment of OMC 8-7-3 (Enforcement; Resolution Ordering Abatement). Section 8-7-3 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revision marks*) to read as follows:

8-7-3: ENFORCEMENT; RESOLUTION ORDERING ABATEMENT:

A. Abatement Order By Resolution: The Building Inspector shall enforce this Chapter and if any property owner fails or refuses to abate any such nuisance as contemplated by Section 8-7-2, the City Council may, after report filed by the Building Inspector, by resolution require such property owner, in addition or alternative to the penalty prescribed by subsection 8-7-2D, to abate the nuisance by removal or destruction; and if the removal or destruction is not made by such owner within the time specified, the Building Inspector may abate the same as provided by Section 8-7-4.

B. Notice Of Proposed Resolution: The resolution mentioned in subsection A shall not be passed until the property owner is given at least five (5) days' notice of the pendency of the proposed resolution. Such notice shall be given by the City Building Inspector by mailing a copy of the notice to the owner as shown upon the records of the County Treasurer at the address shown thereon; and, if no owner and address is shown on such records, a copy of the notice shall be posted upon the property, and shall also be published in one issue of the official newspaper. The mailing, posting and publication shall be made at least five (5) days before the resolution is adopted and proof shall be made by affidavit of the City Building Inspector filed with the City Clerk/~~Treasurer~~. The notice shall include the resolution number and both shall describe the property involved and the nature of the hazardous condition constituting the nuisance.

Section 27. Amendment of OMC 9-1E-2 (Definitions). Section 9-1E-2 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revision marks*) to read as follows:

9-1E-2: DEFINITIONS:

CITY: The City of Orting, Washington, or as indicated by the context, may mean the Water Department, Water/Wastewater Plant Operator, City Clerk, ~~City~~ Treasurer, Engineer or other employee or agent representing the City in the discharge of his duties.

CITY ENGINEER: The professional engineer regularly employed or retained by the City.

COMMERCIAL WATER SERVICE: Water service provided to premises utilized for business or industrial purposes.

CONSUMER: An individual dwelling unit or individual business which receives water through an individual meter or master meter.

COUNCIL: The City Council of the City of Orting.

MAINS: Water lines designed or used to serve more than one premises.

PERSON, CUSTOMER, OWNER AND OCCUPANT: Include natural persons of either sex, associations, copartnerships and corporations whether acting individually or by a servant, agent or employee; the singular number shall be held to include the plural and the masculine pronoun to include the feminine.

PREMISES: A continuous tract of land, building or group of adjacent buildings under a single control with respect to use of water and responsibility for payment therefor. Subdivisions of such use or responsibility shall constitute a division into separate premises as herein defined.

RESIDENTIAL WATER SERVICE: Domestic water service (including lawn and garden sprinkling) provided to a residential living unit.

STANDARD SPECIFICATIONS: The specifications set forth in the current volume of "Standard Specifications for Road, Bridge and Municipal Construction" prepared and distributed jointly by the Washington State Department of Transportation (WSDOT) and by the Washington State Chapter of the American Public Works Association (APWA) and the current "standards" of the American Water Works Association (AWWA).

WATER/WASTEWATER PLANT OPERATOR: The person duly appointed by the Mayor of the City as the Water/Wastewater Plant Operator and is in responsible charge of all day-to-day activities.

Section 28. Amendment of OMC 9-1E-5 (Design Standards). Section 9-1E-5 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revision marks*) to read as follows:

9-1E-5: DESIGN STANDARDS:

Design standards shall be adopted from time to time by the Council upon the recommendation of the Water/Wastewater Plant Operator and the City Engineer and one copy of the same shall be maintained on file at the office of the City Clerk/~~Treasurer~~.

Section 29. Amendment of OMC 9-2A-1 (Definitions). Section 9-2A-1 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revision marks*) to read as follows:

9-2A-1: DEFINITIONS:

Unless the context specifically indicates otherwise, the meaning of terms and words used in this Chapter shall be as follows:

BOD (biochemical oxygen demand): The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure as described in the most current edition of Standard Methods for the Examination of Water and Wastewater in five (5) days at twenty degrees (20°) Celsius expressed in milligrams per liter.

BUILDING DRAIN: That part of the lowest horizontal piping of a drainage system which receives the discharge from sanitary waste floor drains and other drainage pipes inside the walls of the building and conveys it to the inner face of the building wall.

BUILDING SEWER, CONNECTING SEWER OR HOUSE LATERAL: The private extension from the building drain to the public sewer, STEP tank or other place of disposal.

CITY: The City of Orting, Washington.

CITY CLERK/~~TREASURER~~: The City Clerk/~~Treasurer~~ of the City of Orting.

CITY ENGINEER: The Engineer of the City of Orting or the person authorized by the Mayor to act as such.

CITY TREASURER: The City Treasurer of the City of Orting.

COLLECTION SYSTEM: The system of public sewers to be operated by the City designed for the collection of sanitary sewerage.

COMMERCIAL USER: Any premises used for commercial or business purposes which is not a residential user and not an industry as defined in this Article. A commercial user is one who introduces primary domestic wastes and wastes from sanitary conveniences into the sewer system.

CONNECTION CHARGE: That charge levied on sewer customers for connecting to the sewage works and consists of an inspection fee.

COUNCIL: The Council of the City of Orting.

COUNTY: Pierce County, Washington.

DOMESTIC WASTE: Any wastewater (sewage) emanating from a residence or from domestic activities performed outside the place of residence (in lieu of a home activity) by or for private citizens. The wastewater concentrations shall not exceed two hundred fifty (250) mg/l BOD5 and two hundred fifty (250) mg/l TSS.

EQUIVALENT RESIDENTIAL UNIT: The domestic waste usually generated by a residential user. The daily average concentration shall not exceed two hundred fifty (250) mg/l BOD5 and two hundred fifty (250) mg/l TSS.

GARBAGE: Solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

GENERAL FACILITY CHARGE: That charge levied on sewer customers for connecting to the sewage works which represents the property owner's pro rata share of the capital costs of the sewer utility facilities.

INDUSTRIAL USER: A nongovernmental user of the public treatment works identified in the Standards Industrial Classification Manual, 1972, Office of Management and Budget, as amended or supplemented.

INDUSTRIAL WASTE: That portion of wastewater emanating from an industrial user which is not domestic waste or waste from sanitary conveniences.

INSPECTOR: The person assigned by the City to inspect building sewer installation between the building and the public sanitary sewer line within the street. Inspectors shall operate under the direction of the Mayor or his designee.

LATERAL: A public sewer which receives flow from one or more side sewers and discharges into a trunk or interceptor.

MAYOR: The Mayor of the City of Orting, Washington.

NATURAL OUTLET: Any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

NEW CONNECTION: Any new physical connection to the sewage works or a discontinued connection where the periodic user charges are not paid for a one year period.

OCCUPANT: Any person or owner in physical possession of a structure to which sewer service is available.

**OPERATION AND MAINTENANCE:** All activities, goods and services which are necessary to maintain the proper capacity and performance of the sewage works for which such works are designed and constructed.

**pH:** The logarithm of the reciprocal of the weight of hydrogen ions.

**PERMIT:** An application for a printed and serially numbered form issued by the City prior to construction of any side sewer.

**PERSON:** Any individual, firm, company, association, society, corporation or group.

**PRIVATE SEWERAGE SYSTEM:** An individual sewer line and disposal system that is privately owned and not connected to the City of Orting sewerage system. A private sewer shall be allowed only when connection to a City of Orting sewer is not required by this Chapter.

**PROPERLY SHREDDED GARBAGE:** The wastes from the preparation, cooking and dispensing of foods that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) centimeter in any dimension.

**PUBLIC SEWER:** A sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

**RESIDENTIAL USER:** Those persons using the sewage works who reside in a single-family or multi-family structure.

**STEP:** Septic tank effluent pumping system and is more particularly described in the standards and specifications of the City of Orting.

**SANITARY SEWER:** A sewer which carries sewage and to which storm water, surface water, ground water and other unpolluted waters are not intentionally admitted.

**SERVICE CONNECTION:** Refers to the "side sewer" or pipe line with its appurtenances that branches off or connects the public lateral or trunk sewer in the right of way extending to the property line.

**SEWAGE:** A combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments.

**SEWAGE TREATMENT PLANT:** Any arrangement of devices and structures used for treating sewage.

**SEWAGE WORKS:** All facilities for collecting, pumping, treatment and disposing of sewage.

SEWER: A pipe or conduit for carrying sewage.

SHALL/MAY: "Shall" is mandatory. "May" is permissive.

SIDE SEWER: The service connection.

SLUG: Any discharge of water, sewage or industrial waste which, in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty four (24) hour concentration of flows during the normal operation.

STORM DRAIN (sometimes termed "storm sewer"): A sewer which carries storm waters and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

TOTAL SUSPENDED SOLIDS (TSS): All solids which are physically suspended in a sample of waste water under standard laboratory procedures as required by the Department of Ecology of the State of Washington.

USER: Every person using any part of the public sewage works of the City of Orting.

USER CHARGE: The periodic charges levied on all users of the public sewage works and shall, at a minimum, cover each user's proportionate share of the cost of operation and maintenance to include replacement.

Section 30. Amendment of OMC 9-2E-9 (Bonds and Liability Insurance Required).  
Section 9-2E-9 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revision marks*) to read as follows:

9-2E-9: BONDS AND LIABILITY INSURANCE REQUIRED:

A. General Surety Requirements: The City engineer is authorized to require all persons constructing retention/detention facilities to post with the City ~~clerk~~/Treasurer surety and cash bonds. Where such persons have previously posted, or are required to post, other such bonds with the City ~~clerk~~/Treasurer, either on the facility itself or on other construction related to the facility, such persons may, with the permission of the City ~~clerk~~/Treasurer and to the extent allowable by law, combine all such bonds into a single bond; provided, that at no time shall the amount thus bonded be less than the total amount which would have been required in the form of separate bonds, and provided further, that such a bond shall on its face clearly delineate those separate bonds which it is intended to replace.

B. Construction Bond: Prior to commencing construction, the person constructing the facility shall post a construction bond in an amount sufficient to cover the cost of conforming said construction with the approved drainage plans. After determination by the City engineer that

all facilities are constructed in compliance with the approved plans, the construction bond shall be released.

C. Maintenance Bond: After satisfactory completion of the facilities and release of the construction bond by the City, the person constructing the facility shall commence a one year period of satisfactory maintenance of the facility. A cash bond to be used at the discretion of the City ~~elect~~/Treasurer to correct deficiencies in maintenance affecting public health, safety and welfare must be posted and maintained throughout the one year maintenance period. The amount of the cash bond shall be determined by the City ~~elect~~/Treasurer, but shall not be in excess of two thousand dollars (\$2,000.00). In addition, a surety bond or cash bond to cover the cost of defects or failures of the facilities shall also be posted and maintained throughout the one year maintenance period.

D. Liability Policy: The person constructing the facility shall maintain a liability policy in the amount of one hundred thousand dollars (\$100,000.00) per individual, three hundred thousand dollars (\$300,000.00) per occurrence, and fifty thousand dollars' (\$50,000.00) property damage, which shall name the City an additional insured, and which shall protect from any liability up to those amounts for any accident, negligence, failure of the facility, or any other liability whatsoever, relating to the construction or maintenance of the facility. The liability policy shall be maintained for the duration of the facility by the owner of the facility.

Section 31. Amendment of OMC 9-2E-13 (Drainage Improvements; Mandatory Requirements). Section 9-2E-13 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revision marks*) to read as follows:

9-2E-13: DRAINAGE IMPROVEMENTS; MANDATORY REQUIREMENTS:

A. Requirements:

1. Surface water entering the subject property shall be received at the naturally occurring locations, and surface water exiting the subject property shall be discharged at the natural locations with adequate energy dissipators within the subject property to minimize downstream damage and with no diversion at any of these points.

2. The design storm peak discharge from the subject property may not be increased by the proposed development.

3. Retention/detention facilities must be provided in order to maintain surface water discharge rates at or below the existing design storm peak discharge.

4. Where open channel construction is used to handle drainage within the subject property, a minimum of fifteen feet (15') will be provided between any structures and the top of the bank of the defined channel.

a. In open channel work, the water surface elevation will be indicated on the plan and profile drawings. The configuration of the finished grades constituting the banks of the open channel will also be shown on the drawings.

b. Proposed cross section of the channel will be shown with stable side slopes as approved by the City engineer.

c. The water surface elevation of the flow for the design storm will be indicated on the cross section.

5. When a closed system is used to handle drainage within the subject property, the system will be a minimum of ten feet (10') from all structures.

B. Compliance Required: To the extent possible, approved measures for controlling runoff during construction should comply with the above provisions.

C. Variances From Mandatory Requirements:

1. Criteria: Variances from the requirements of subsection A of this section may be permitted only after a determination by the City engineer using the comprehensive drainage plan (if available) and/or employing the following criteria:

- a. Sufficient capacity of downstream facilities under design conditions;
- b. Maintenance of the integrity of the receiving waters;
- c. Possibility of adverse effects of retention/detention;
- d. Utility of regional retention/detention facilities;
- e. Capability of maintenance of the system; and
- f. Structural integrity of abutting foundations and structures.

2. Requests: Request for variances shall be filed in writing with the City Clerk/~~Treasurer~~ and shall adequately detail the basis for granting an exemption.

Section 32. Amendment of OMC 9-5A-11 (Bonds and Liability Insurance Required). Section 9-5A-11 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revision marks*) to read as follows:

9-5A-11: BONDS AND LIABILITY INSURANCE REQUIRED:

A. General Surety Requirements: The director is authorized to require all applicants, and/or their contractors, constructing stormwater facilities to post with the City Clerk/~~Treasurer~~ a

surety bond, cash deposit or other security (hereafter collectively referred to as "financial guarantee") as required in this article, in the form, amounts and content approved by the director. Where such persons have previously posted, or are required to post, other such financial guarantees with the City ~~clerk~~/Treasurer, either on the stormwater facility or on other construction related to the stormwater facility, such persons may, with the permission of the director and to the extent allowable by law, combine all such financial guarantees into a single financial guarantee; provided, that at no time shall the amount thus bonded or otherwise guaranteed be less than the total amount which would have been required in the form of separate financial guarantees, and provided further, that such a single financial guarantee shall on its face clearly delineate those financial guarantees which it is intended to replace.

B. Construction Bond: Prior to commencing construction, the applicant, and/or its contractor, constructing the stormwater facility shall post a construction bond in an amount sufficient to cover the estimated cost of construction of said stormwater facility in conformance with the approved drainage plans. After determination by the director that all stormwater facilities are constructed in compliance with the approved plans and that a maintenance bond has been filed as required below, the City shall release the construction bond. The construction bond shall be a noncancelable commitment issued by a surety to the City (obligee) guaranteeing that the applicant and/or the applicant's contractor will complete construction of the stormwater facilities in compliance with the approved drainage plans and further guaranteeing that all subcontractors, labor and material suppliers will be paid leaving the project lien free.

C. Maintenance Bond: After satisfactory completion of the stormwater facilities and release of the construction bond by the City, the applicant shall commence a two (2) year period of satisfactory maintenance of the stormwater facility. A cash deposit, in a form and content approved by the director, to be used at the discretion of the director to correct deficiencies in maintenance affecting public health, safety and welfare, must be posted and maintained throughout the two (2) year maintenance period. The amount of the cash deposit, and the form of any written instrument governing the same, shall be determined by the director, but the amount shall not be in excess of ten thousand dollars (\$10,000.00). In addition, a surety bond or cash deposit to cover the cost of defects or failures of the stormwater facilities shall also be posted with the City ~~clerk~~/Treasurer in an amount, form and content determined by the director, and maintained throughout the two (2) year maintenance period.

D. Liability Policy: The applicant and/or the contractor shall maintain a liability policy in the amount of one hundred thousand dollars (\$100,000.00) per individual, three hundred thousand dollars (\$300,000.00) per occurrence, and fifty thousand dollars (\$50,000.00) property damage, which shall name the City an additional insured, and which shall protect from any liability up to those amounts for any accident, negligence, failure of the facility, or any other liability whatsoever, relating to the construction or maintenance of the facility. The liability policy shall be maintained for the duration of construction of the stormwater facility and the duration of the maintenance bond. In the event that ownership of the stormwater facilities are to be conveyed to the City, the liability policy shall be maintained until the stormwater facilities are accepted by the City.

E. Transfers: In the event that during the term of an instrument providing a financial guarantee, ownership of the site is conveyed, assigned, or otherwise transferred to another person, the financial guarantee shall remain in place, until a new bond or other surety instrument is filed with the City ~~clerk~~/Treasurer, in a form, amount and content approved by the director.

Section 33. Amendment of OMC 10-2-3 (Amendments to Fire Code). Section 10-2-3 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revision marks*) to read as follows:

10-2-3: AMENDMENTS TO FIRE CODE:

The following amendments and additions to the international fire code are hereby adopted:

A. Permit Fees: All applicable permits or fees required by the international fire code shall be assessed in accordance with the fee schedule of the international building code and if no fee schedule is applicable, in accordance with such fee schedule as established by resolution or ordinance of the City Council.

B. Map: The entire incorporated area of the City is established as a fire district, and the fire district shall be known and designated as fire zones 3 and 3A, and each such zone shall include such territory or portions of the City as illustrated, outlined and designated on that certain map on file in the office of the City Clerk/~~Treasurer~~, being marked and designated as "fire zone of the City of Orting", which is adopted as the fire zoning map of the City for the application of the regulations included in the international fire code.

Section 34. Amendment of OMC 10-8-1 (Standard Specifications Adopted). Section 10-8-1 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revision marks*) to read as follows:

10-8-1: STANDARD SPECIFICATIONS ADOPTED:

The "Standard Specifications for Road, Bridge and Municipal Construction", the 1984 Edition, and related standards, published by the State of Washington, one copy of which is on file in the office of the City Clerk/~~Treasurer~~, are adopted as the standard specifications for road, bridge and Municipal construction standards of the City.

Section 35. Amendment of OMC 10-10-1 (Historic Building Code Adopted). Section 10-10-1 of the Orting Municipal Code is hereby amended (*amendments shown in legislative revision marks*) to read as follows:

10-10-1: HISTORIC BUILDING CODE ADOPTED:

The "Washington State Historic Building Code", as adopted by the State of Washington, under Washington Administrative Code, title 51, chapter 19, one copy of which is on file in the

office of the City Clerk/~~Treasurer~~, is adopted and made a part hereof as though fully set forth in this Chapter, and the same is adopted as the Historic Building Code of the City.

Section 36. Amendment of OMC 11-4-1-E (Transfer of Development Rights). Section 11-4-1-E of the Orting Municipal Code is hereby amended (amendments shown in legislative revision marks) to read as follows:

E. Transfer Of Development Rights: If a site contains a regulated wetland and/or buffer, a property owner may transfer residential development rights from the regulated wetland and/or buffer to another site or sites within the City. The transfer of development rights (TDR) shall meet the following criteria:

1. The idea of transfer of development rights is based upon the legal concept of property law that the right to develop real estate is one of the "bundle of rights" included in fee simple ownership of land. Fee simple ownership of real estate allows the owner to sell, lease, or trade any one or all of the "bundle of rights" to his property which includes the right to use, lease, sell, or abandon the property or any of its components of ownership not retained by a previous owner such as mineral, oil, gas, air, and/or development rights. These rights of ownership are subject to the limitation and legislative powers of the local government.

2. A development right is a simple extension of the rights normally associated with land ownership. When legally established, a development right has value separate from the land itself. It can be subject to reasonable regulation by local government under the police power. The development right can be transferred by the owner, by means of gift or sale, to another property. The landowner may sell the development rights and still retain the title to the land and the right to use the surface of the land on a limited basis.

3. The planning commission shall consider the request for TDR at the public hearing for the land use proposal for the receiving parcel.

4. To assure that the sending parcel is adequately protected, a restriction shall be placed on the deed which expressly prohibits all regulated activities within the wetland and/or buffer. This restriction shall be required regardless of the number of dwelling units for which the development rights are transferred. A memorandum of agreement (MOA) between the applicant and the City shall be recorded with the City Clerk/~~Treasurer~~. The MOA shall refer to all deed restrictions related to the property.

5. If the wetland and/or buffer is degraded as a result of human or agricultural activity, the applicant may be required to enhance the wetland and/or buffer according to an enhancement plan approved by the planning commission.

6. Except for required enhancement, the buffer and wetland shall remain in a natural condition. This shall be indicated by a note on the face of any final plat, final site plan, or other final approval for activity on the sending site. In the case of a formal subdivision, the wetland and buffer shall be placed in a separate tract.

7. TDR shall not exceed the number of dwelling units which would be allowed on the sending parcel according to the zoning designation of the sending parcel, if there were no development restrictions tied to wetland areas. This number of dwelling units shall be equal to the number of dwelling units that could be produced on the wetland and/or buffer if the sending parcel were subdivided in terms of the minimum requirements of the underlying zone as evidenced by a preliminary plan sketch.

8. TDR may go to more than one receiving parcel; however, this shall not increase the total number of transferred dwelling units which are allowed.

9. The increased number of dwelling units on the receiving parcel shall not be more than twenty five percent (25%) above the number of dwelling units allowed according to the zoning designation on the receiving parcel(s).

10. TDR shall be allowed only if the land use proposal on the receiving parcel(s) is designed in such a way that the increased density:

a. Is consistent with any land use plan associated with the receiving parcel and with goals, purposes, and intents of the zoning designation of the receiving parcel; and

b. Is compatible with the existing and likely future developments in the vicinity; and

c. Adequately addresses infrastructure, natural and other constraints, and does not result in significant environmental impacts.

11. TDR shall not be approved until final plat approval or other final approval for the receiving parcel is granted by the City Council.

Section 37. Amendment of OMC 11-4-2-G (Transfer of Development Rights). Section 11-4-2-G of the Orting Municipal Code is hereby amended (amendments shown in legislative revision marks) to read as follows:

G. Transfer Of Development Rights:

1. The idea of transfer of development rights is based upon the legal concept of property law that the right to develop real estate is one of the "bundle of rights" included in fee simple ownership of land. Fee simple ownership of real estate allows the owner to sell, lease, or trade any one or all of the "bundle of rights" to his property which includes the right to use, lease, sell, or abandon the property or any of its components of ownership not retained by a previous owner such as mineral, oil, gas, air, and/or development rights. These rights of ownership are subject to the limitation and legislative powers of the local government.

2. A development right is a simple extension of the rights normally associated with land ownership. When legally established a development right has value separate from the land itself.

It can be subject to reasonable regulation by local government under the police power. The development right can be transferred by the owner, by means of gift or sale, to another property. The landowner may sell the development rights and still retain the title to the land and the right to use the surface of the land on a limited basis.

3. For the purposes of this chapter, the owner of any vacant and/or undeveloped parcel of land with a lot slope of greater than forty percent (40%) may transfer the development rights (TDR) allocated to the parcel of land to any person at any time.

4. The planning commission shall consider the request for TDR at the public hearing for the land use proposal for the receiving parcel.

5. To assure that the sending parcel is adequately protected, a restriction shall be placed on the deed which expressly restricts the use of said property in perpetuity to open space uses. The restriction shall be required regardless of the number of dwelling units for which the development rights are transferred. A memorandum of agreement (MOA) between the applicant and the City shall be recorded with the City Clerk/~~Treasurer~~. The MOA shall refer to all deed restrictions related to the property.

6. TDR shall not exceed the number of dwelling units which would be allowed on the sending parcel according to the zoning designation of the sending parcel, if there were no development restrictions tied to steep slopes. This number of dwelling units shall be equal to the number of dwelling units that could be produced on the parcel if the sending parcel were subdivided in terms of the minimum requirements of the underlying zone as evidenced by a preliminary plan sketch.

7. TDR may go to more than one receiving parcel; however, this shall not increase the total number of transferred dwelling units which are allowed.

8. The increased number of dwelling units on the receiving parcel shall not be more than twenty five percent (25%) above the number of dwelling units allowed according to the zoning designation on the receiving parcel(s).

9. TDR shall be allowed only if the land use proposal on the receiving parcel(s) is designed in such a way that the increased density:

a. Is consistent with any land use plan associated with the receiving parcel and with goals, purposes, and intents of the zoning designation of the receiving parcel; and

b. Is compatible with the existing and likely future developments in the vicinity; and

c. Adequately addresses infrastructure, natural and other constraints, and does not result in significant environmental impacts.

10. TDR shall not be approved until final plat approval or other final approval for the receiving parcel is granted by the City Council.

Section 38. Amendment of OMC 11-5-2 (Appeals). Section 11-5-2 of the Orting Municipal Code is hereby amended (amendments shown in legislative revision marks) to read as follows:

11-5-2: APPEALS:

A. Filing: An appeal of the City Administrator's decision to require a critical area study must be filed with the City Clerk ~~Treasurer~~ within ten (10) working days after said decision. The planning commission shall initially hear the appeal and shall thereafter forward its findings and recommendations to the council for final decision.

B. Procedure: Any decision to approve, condition or deny a development or alteration proposal based on the requirements of this title may be appealed in accordance with the procedures and standards applicable to the subject development or alteration proposed.

Section 39. Amendment of OMC 12-6-1 (Requirements for Completed Application). Section 12-6-1 of the Orting Municipal Code is hereby amended (amendments shown in legislative revision marks) to read as follows:

12-6-1: REQUIREMENTS FOR COMPLETED APPLICATION:

A. Construction Drawings: Five (5) copies of as built construction drawings. Applicants are also encouraged to provide one digital copy on a CD in a CAD program compatible with AutoCad or ArcView.

B. Certification Of City Work: Certification of work done by City in connection with the checking, computing and correcting of the plat, and for plan checking, inspecting, and testing of plat improvements, including water lines, sanitary sewer lines, storm water retention and drainage systems, streets, curbs, gutters and sidewalks.

C. Application Contents: In addition to the requirements for a completed application set forth in title 15 of this code, the applicant shall submit the following:

1. Final plat on reproducible Mylar or equivalent, twenty four inches (24") wide by thirty six inches (36") long, scale of one hundred feet to one inch (100' = 1") or larger (preferred scale 50 feet to 1 inch). Applicants are also encouraged to provide one digital copy on a CD in a CAD program compatible with AutoCad or ArcView. The plat must contain:

a. Primary control points, approved by the City engineer, or descriptions and "ties" to such control points, to which all dimensions, angles, bearings, and similar data on the plat shall be referred;

b. Tract boundary lines, right of way lines of streets, easements and other rights of way, and property lines of residential lots and other sites, with accurate dimensions, bearings, and radii, arcs, central angles of all curved arcs;

c. Name and right of way width of each street or other right of way;

d. Location, dimensions and purpose of any easement;

e. Tract number to identify each lot or site;

f. Purpose for which sites, other than residential lots, are dedicated or reserved;

g. Minimum building setback line on all lots and other sites;

h. Location and description of monuments by symbol. Unless otherwise approved, monuments shall be placed at street intersections, centers of cul-de-sacs, and points of curve and tangency in curvilinear streets;

i. Reference to plats of adjoining land by their recorded name, date, volume and page number;

j. Certification by licensed land surveyor or licensed professional civil engineer substantially giving a full and correct description of the lands divided as they appear on the plat, including a statement that the subdivision has been made with the free consent and in accordance with the desires of the owner(s). If the plat contains a dedication, the certificate shall also contain the dedication of all streets and other areas to the public, and individual(s), religious society or societies or to any corporation, public or private, as shown on the plat and a waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage, and maintenance of the road. The certificate shall be signed and acknowledged before a notary public by all parties having any interest in the lands subdivided.

2. Every plat containing a dedication filed for record must be accompanied by a title report confirming that the title of the lands as described and shown on the plat is in the name of the owners signing the certificate.

3. An offer of dedication may include a waiver of right of direct access to any street from any property, and if the dedication is accepted, any such waiver is effective. Such waiver may be required by the City as a condition of approval. Roads not dedicated to the public must be clearly marked on the face of the plat. Any dedication, donation, or grant as shown on the face of the plat shall be considered to all intents and purposes as a quitclaim deed to the recipient or recipients, grantee or grantees for his, her, or their use for the purpose intended by the donors or grantors as aforesaid.

4. Plat name, scale, north arrow, date and legend of symbols.

5. Plans and profiles of all utilities and street improvements showing approval of the design by the City engineer.

6. Certificate of completion of one of the following alternatives, as directed by the City, shall accompany the final plat:

a. All improvements have been installed in accord with the requirements of these regulations and accepted by the City upon the recommendation of the City engineer as certified by the City Clerk/~~treasurer~~;

b. Approved plans are on file with the City engineer for all required utilities and street improvements and a cash or surety bond as required in section 12-8-1 of this title has been posted with the City Clerk/~~treasurer~~ and deposited with the City Clerk/~~treasurer~~.

7. Signatures of the county treasurer, City Clerk/~~treasurer~~, City engineer, planning commission chair, and Mayor.

Section 40. Amendment of OMC 15-6A-2 (Definitions). Section 15-6A-2 of the Orting Municipal Code is hereby amended (amendments shown in legislative revision marks) to read as follows:

15-6A-2: DEFINITIONS:

The following are definitions provided for administering the transportation impact fee and supplement those definitions already set forth in chapter 2 of this title. The City shall have the authority to resolve questions of interpretation or conflicts between definitions.

**ADEQUATE LEVEL OF TRANSPORTATION SERVICE:** A system of transportation facilities, which has the capacity to serve development without decreasing levels of service below the City's minimum established in the City of Orting transportation plan.

**ATTACHMENT A:** The "attachment A - transportation impact fee methodology" included in the City of Orting 2030 transportation plan technical appendices and future amendments or modifications thereof.

**CAPACITY:** The maximum sustainable flow rate at which vehicles or persons can be expected to traverse a point or uniform segment of a lane or roadway during a specified time period, usually expressed as vehicles per hour, passengers per hour, or persons per hour.

**CITY CLERK/~~TREASURER~~:** The City Clerk/~~treasurer~~ of the City of Orting or his/her designee.

**CITY TREASURER:** The City Treasurer of the City of Orting or his/her designee.

**DEVELOPER** Any person who proposes an action or seeks a permit regulated by this title or title 10, 12, or 13 of this code.

**DEVELOPMENT ACTIVITY:** Any construction or expansion of a building, or structure, or use, or any changes in the use of land, that creates additional demand and need for public facilities.

**DIRECTOR:** The director of the department of public works of the City of Orting or his/her designee.

**IMPACT FEE OR TRANSPORTATION IMPACT FEE:** A payment of money imposed upon development approval to pay for public streets and roads needed to serve new growth and development, and that is reasonably related to the new development that creates additional demand and need for public streets and roads, that is a proportionate share of the cost of the public streets and roads, and that is used for public streets and roads that reasonably benefit the new development. "Impact fee" does not include a reasonable permit or application fee otherwise established by City Council resolution.

**JURISDICTION:** The authority of the City of Orting to regulate development within its limits.

**OFF SITE TRANSPORTATION ROAD IMPROVEMENT:** Improvement, except a frontage improvement, to an existing or proposed City road or street outside the boundaries of a development, which improvement is required or recommended in accordance with this title.

**OWNER:** The person(s) with legal right of possession or lawful title.

**PROJECT IMPROVEMENTS:** Site improvements and facilities that are planned and designed to provide service for a particular development project that are necessary for the use and convenience of the occupants or users of the project, and are not system improvements. No improvement or facility included in the capital facilities element or the six (6) year plan approved by the City Council shall be considered a project improvement.

**SERVICE AREA:** A geographic area defined by ordinance or intergovernmental agreement in which a defined set of public streets and roads provides service to the development within the area.

**SIX YEAR TRANSPORTATION IMPROVEMENT PROGRAM (TIP):** A subset of projects contained in the City's capital improvement element. The TIP is a set of comprehensive street programs/projects which after a public hearing is annually adopted by the City Council for the purpose of advancing plans for not less than six (6) years as a guide for carrying out the coordinated transportation/street construction program. The six (6) year TIP shall contain a small group of capacity projects, which will be considered reasonably funded for determining transportation concurrency and impact fees. The adoption of the six (6) year TIP will obligate the

City to actively pursue funds to implement the capacity component of the transportation improvement program as best as is possible with the available resources.

SYSTEM IMPROVEMENTS: Public facilities that are included in the capital facilities plan and are designed to provide service areas within the community at large, in contrast to project improvements.

Section 41. Amendment of OMC 15-13-1 (Comprehensive Plan Adopted). Section 15-13-1 of the Orting Municipal Code is hereby amended (amendments shown in legislative revision marks) to read as follows:

15-13-1: COMPREHENSIVE PLAN ADOPTED:

A. Official Document: The Orting comprehensive plan as amended, including land use designation maps, is approved in its entirety as the official land use classification and development guidance document for the City.

B. Copy Available For Inspection: The adopted Orting comprehensive plan as amended, shall be filed with the City Clerk/~~treasurer~~ and shall be available for public inspection upon its effective date.

C. Filed With State: The City Clerk/~~treasurer~~ shall transmit a copy of the comprehensive plan as adopted to the state department of community trade and economic development within ten (10) days of the effective date of its adoption, and to such other offices and agencies as may be required by law.

D. Compliance With Plan, Revisions: The planning commission shall be responsible for recommending amendments to the City development regulations to be consistent with the Orting comprehensive plan.

E. City Planning Boundary: The planning area designated in the 1996 Orting comprehensive plan as approved shall serve as the City's planning boundary until such time as it is amended by the City Council.

Section 42. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 43. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 9<sup>TH</sup> DAY OF JULY, 2014.**

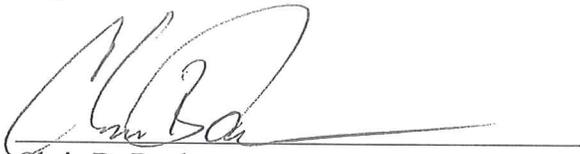
CITY OF ORTING

  
Joachim Pestinger, Mayor

ATTEST/AUTHENTICATED:

  
Mark Bethune,  
City Administrator/City Clerk

Approved as to form:

  
Chris D. Bacha  
Kenyon Disend, PLLC  
City Attorney

Passed by the City Council: 7/9/14  
Ordinance No. 958