

CITY OF STANWOOD
Stanwood, Washington

ORDINANCE NO. 1306

AN ORDINANCE OF THE CITY OF STANWOOD, WASHINGTON ESTABLISHING A SALARY COMMISSION FOR THE CITY; AND ADDING A NEW CHAPTER 2.10 TO THE STANWOOD MUNICIPAL CODE.

WHEREAS, Chapter 73, Laws of 2001, effective July 22, 2001, (RCW 35.21.015) authorizes the City to establish by ordinance an independent salary commission with authority to set the salary of the members of the Council and of other elected city officials, and provides that the commission's action fixing such salaries shall supersede any provision in a city ordinance related to fixing salaries; NOW, THEREFORE

THE CITY COUNCIL OF THE CITY OF STANWOOD, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. A new Chapter 2.10 entitled "Salary Commission" is hereby added to the Stanwood Municipal Code which shall read as follows:

Chapter 2.10
SALARY COMMISSION

2.10.010 Created - Membership, appointment, compensation, term.

1. There is created a salary commission for the city. The commission shall consist of five members, to be appointed by the Mayor with the approval of the City Council.
2. A member of the commission shall serve for a three year term without compensation, and shall be a resident of the city. The initial members shall be appointed for staggered terms of one, two or three years.
3. No member of the commission shall be appointed to more than two terms.
4. A member of the commission shall not be an officer, official, or employee of the city or an immediate family member of an officer, official, or employee of the city. For purposes of this section, "immediate family member" means the parents, spouse, siblings, children, or dependent relatives of an officer, official, or employee of the city, whether or not living in the household of the officer, official, or employee.

2.10.020 Vacancies.

In the event of a vacancy in office of commissioner, the Mayor shall appoint, subject to approval of the City Council, a person to serve the unexpired portion of the term of the expired position.

2.10.030 Removal.

A member of the commission shall only be removed from office for cause of incapacity, incompetence, neglect of duty, or malfeasance in office, a crime involving moral turpitude, or for a disqualifying change of residence.

2.10.040 Duties.

1. The commission shall have the duty, annually, commencing in 2012, to review the salaries paid by the city to each elected city official. If after such review the commission determines that the salary paid to any elected city official should be increased or decreased, the commission shall file a written salary schedule with the city clerk indicating the increase or decrease in salary. The initial salary commission shall meet between February 1, 2012 and March 31, 2012 and shall determine salary increases or decreases for the balance of calendar year 2012. Thereafter, the salary commission shall meet between May 1 and July 31 and shall determine salary adjustments which shall become effective on January 1 of each calendar year, beginning on January 1, 2013.
2. Any increase or decrease in salary established by the commission shall become effective and incorporated into the city budget for the year following commission review without further action of the city council or the commission.
3. Salary increases established by the commission shall be effective as to all city elected officials, regardless of their terms of office.
4. Salary decreases established by the commission shall become effective as to incumbent city elected officials at the commencement of their next subsequent terms of office.

2.10.050 Referendum.

Any salary increase or decrease established by the commission pursuant to this chapter shall be subject to referendum petition by the voters of the city, in the same manner as a city ordinance, upon filing of a referendum petition with the city clerk within thirty days after filing of a salary schedule by the commission. In the event of the filing of a valid referendum petition, the salary increase or decrease shall not go into effect until approved by a vote of the people. Referendum measures under this section shall be submitted to the voters of the city at the next following general or municipal election occurring thirty days or more after the petition is filed, and shall otherwise be governed by the provisions of the State Constitution and the laws generally applicable to referendum measures. By adoption

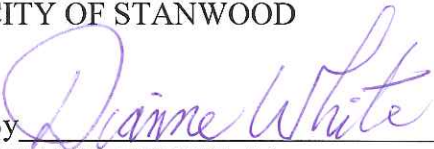
of this provision it shall not be the intent to adopt the powers of Referendum generally.

Section 2. Effective Date. This ordinance shall take effect and be in full force five days from and after its passage, approval and publication, as required by law.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

PASSED by the City Council and APPROVED by the Mayor this 26th day of January, 2012.

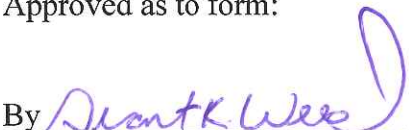
CITY OF STANWOOD

By 
DIANNE WHITE, Mayor

ATTEST:

By 
MELISSA COLLINS, City Clerk

Approved as to form:

By 
GRANT K. WEED, City Attorney

Date of Publication: 02/01/2012

Effective Date (5 days after publication): 02/06/2012