

**CITY OF BLACK DIAMOND  
WASHINGTON**

**ORDINANCE NO. 12-985**

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**AN ORDINANCE OF THE CITY OF BLACK DIAMOND,  
WASHINGTON, ADDING A NEW SECTION TO THE  
BLACK DIAMOND MUNICIPAL CODE REGARDING  
COMPENSATION OF THE CITY COUNCIL; PROVIDING  
FOR SEVERABILITY; AND ESTABLISHING AN  
EFFECTIVE DATE**

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WHEREAS, in order to facilitate planning for and preparation of the annual budget, the City Council desires to establish a process allowing Councilmembers to refuse compensation on an annualized basis co-extensive with the budget period; and

WHEREAS, by adoption of this Ordinance, the City intends to formalize the manner in which the Councilmembers may refuse compensation so that the City Council may rely upon such refusal in planning and adopting the annual budget; and

WHEREAS, adoption of this Ordinance will not have the effect of increasing or decreasing compensation received by any elected official;

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

Section 1. Adding a new section to Chapter 2.04 (City Council) of the Black Diamond Municipal Code titled Compensation. Section 2.04.030 of the Black Diamond Municipal Code is hereby added to read as follows:

**2.04.030 Compensation.**

A Councilmember may refuse compensation at any time if he or she provides to the Finance Director a written notice of such refusal. The refusal shall be in effect for the time period specified in the written notice of refusal. It is further provided that, a Councilmember may provide a non-revocable refusal of compensation for a time period commensurate with and for the length the next annual budget period by filing a written notice of such refusal with the

Finance Director on or before November 30<sup>th</sup> of the year immediately prior to the budget year in which the refusal of compensation will apply. The non-revocable written refusal shall be submitted in a form approved by the Finance Director.

Section 2. 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.

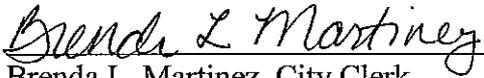
Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED** BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 20TH DAY OF DECEMBER, 2012.

CITY OF BLACK DIAMOND

  
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Rebecca Olness, Mayor

ATTEST/AUTHENTICATED:

  
Brenda L. Martinez, City Clerk

Approved as to form:

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Chris D. Bacha,  
Kenyon Disend PLLC  
City Attorney

Filed with the City Clerk: 12/21/2012  
Passed by the City Council: 12/20/2012  
Ordinance No. 12-985  
Date of Publication 12/28/2012  
Effective Date: 1/2/2013