

ORDINANCE NO. 6 1 6 3

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AMENDING SECTION 2.03.030 OF THE AUBURN CITY CODE AUTHORIZING THE MAYOR TO EXEMPT THE CITY FROM PAYING FEES TO ITSELF

WHEREAS, applicants for City of Auburn permits pay a permit fee to the City to reimburse the City for its costs in processing those permit applications; and

WHEREAS, there are occasions when the City undertakes development projects or engages in activities for which a City fee or charge would typically apply; and

WHEREAS, on those occasions, unless waived, the City would be obligated to pay such fees; and

WHEREAS, were the City to pay the fees associated with such permits, it would likely be reimbursing itself for its own expenses; and

WHEREAS, such a payment would result in no net gain for the City while incurring staff costs to track such a payment; and

WHEREAS, the City Council finds that it is a more efficient use of City resources to authorize the Mayor to exempt the City from such permit fees where the fee would be paid out of the same budgetary fund that would receive such payment.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN,
DO ORDAIN as follows:

Section 1. That Section 2.03.030 of the Auburn City Code is amended

to read as follows:

2.03.030 Powers and duties generally.

A. The mayor shall be the chief executive and administrative officer of the city, in charge of all departments and employees, with authority to designate assistants and department heads. The mayor may appoint and remove an executive assistant to the mayor, if so provided by ordinance or charter. The mayor may remove members of advisory boards and commissions in accordance with Chapter 2.30 ACC. He or she shall see that all laws and ordinances are faithfully enforced and that law and order is maintained in the city, and shall have general supervision of the administration of city government and all city interests.

B. The mayor shall also be authorized to negotiate the terms of and/or award contracts falling within the scope of the mayor's authority pursuant to ACC 3.10.020, as it currently exists or as it may be amended hereafter. Contracts that fall within the scope of the mayor's authority pursuant to ACC 3.10.020 may, but are not required to be, taken to the city council for approval as a part of the city council consent agenda or may, but are not required to be, taken to the city council for information. All official bonds and bonds of contractors with the city shall be submitted to the mayor or such person as he or she may designate for approval or disapproval. He or she shall see that all contracts and agreements made with the city or for its use and benefit are faithfully kept and performed, and to this end he or she may cause any legal proceedings to be instituted and prosecuted in the name of the city, subject to approval by majority vote of the council.

C. The mayor shall preside over all meetings of the city council, when present, but shall have a vote only in the case of a tie in the votes of the council members. He or she shall report to the council concerning the affairs of the city and its financial and other needs, and shall make recommendations for council consideration and action.

D. The mayor ~~He or she~~ shall prepare and submit to the council a proposed budget, as required by Chapter 35A.33 RCW.

E. The mayor shall have the power to veto ordinances passed by the council and submitted to him or her as provided in RCW 35A.12.130, but such veto may be overridden by the vote of a majority of all council members plus one more vote.

F. The mayor shall be the official and ceremonial head of the city and shall represent the city on ceremonial occasions, except that when illness or other duties prevent the mayor's attendance at an official function and no mayor pro tempore has been appointed by the council, a member of the council or some other suitable person may be designated by the mayor to represent the city on such occasion.

G. The mayor is also empowered, in extraordinary and compelling circumstances, to reduce or waive some or all of any city fee or charges when the mayor finds in his or her sole discretion that such reduction or waiver is necessary to provide support for the poor or infirm, in amounts of up to \$10,000 per incident or occasion; provided, that this authorization shall not apply to fees or charges for which state law prohibits reduction or waiver.

H. The mayor is also authorized to exempt the City from paying the charges or fees otherwise applicable to City projects, developments or applications where the charge or fee would be paid out of the same budgetary fund that would receive such payment, were it paid. (Ord. 6051 § 1, 2006; Ord. 5914 § 1, 2005; Ord. 5803 § 1, 2003; Ord. 5583 § 1, 2001; Ord. 2943 § 1, 1976.)

Section 2. That the Mayor is authorized to implement such administrative procedures as may be necessary to carry out the directives of this legislation.

Section 3. If any section, subsection, clause, phrase, or sentence, of this Ordinance, is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality of the remaining portions of this ordinance, as it is being hereby expressly declared that this ordinance and each section, subsections, clause, phrase, or sentence, hereof would have been prepared, proposed, adopted, and approved and ratified irrespective of the fact that any one or more section, subsection, clause, phase, or sentence, be declared invalid or unconstitutional.

Section 4. This Ordinance shall take effect and be in force five days from and after its passage, approval and publication as provided by law.

INTRODUCED: _____

PASSED: _____

APPROVED: _____

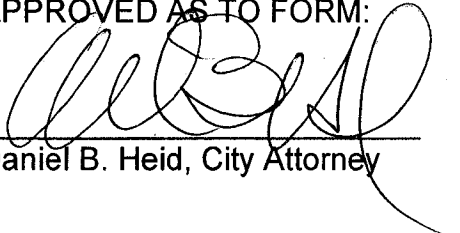
CITY OF AUBURN

PETER B. LEWIS
MAYOR

ATTEST:

Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:


Daniel B. Heid, City Attorney