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CITY OF BLACK ORD 35.00
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12/13/2006 09:40
KING COUNTY, WA

CITY OF BLACK DIAMOND, WASHINGTON

ORDINANCE NO. 06-815

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON, DESIGNATING THE CITY CLERK TO RECEIVE CLAIMS AND LAWSUITS AND ADDING A NEW SECTION TO CHAPTER 2.12 OF THE BLACK DIAMOND MUNICIPAL CODE

WHEREAS, RCW 4.96.020 requires the City to appoint an agent to accept receipt of any claim for damages against the City; and

WHEREAS, RCW 4.96.020 requires the City to specify the address where the agent may be reached during the normal business hours of the local governmental entity; and

WHEREAS, RCW 4.28.080 requires that a summons commencing a lawsuit against the City be served upon the "mayor, city manager, or during normal office hours to the mayor's or city manager's designated agent or the city clerk thereof;" and

WHEREAS, the City Council wishes to establish a coordinated approach for the receipt, and handling of claims and claims lawsuits filed or brought against the City and/or its past and present officers and employees;

now, therefore,

THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON
DO ORDAIN AS FOLLOWS:

Section 1. A new section to Chapter 2.12 shall be and is hereby added to Title 2 of the Black Diamond Municipal Code to read as follows:

2.12.040 City Clerk to Receive Claims and Lawsuits.

2.12.040 City Clerk to Receive Claims and Lawsuits.

In addition to the duties described in other sections of this Chapter, the City Clerk is appointed to be the City's recipient of claims and lawsuits as follows:

- 1) All claims and lawsuits brought against the City and/or its past and present officers and employees shall be filed or served upon the appointed City Clerk during normal business hours at his or her office.
- 2) The City Clerk's office is located at Black Diamond City Hall, 25510 Lawson Street, Black Diamond, WA 98010.
- 3) No other person or staff is authorized to receive such claims or lawsuits on behalf of the City.

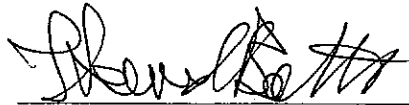
Section 2. A copy of this ordinance shall be filed with the King County Auditor pursuant to the requirements of RCW 4.96.020.

Section 3. Each and every provision of this Ordinance shall be deemed severable. In the event that any portion of this Ordinance is determined by final order of a court of competent jurisdiction to be void or unenforceable, such determination shall not affect the validity of the remaining provisions thereof provided the intent of this Ordinance can still be furthered without the invalid provision.

Section 4. This Ordinance shall be in full force and effect five (5) days after publication as required by law. A summary of this Ordinance may be published in lieu of the entire Ordinance, as authorized by State law.

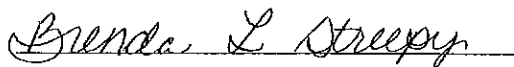
Introduced the 7 day of September 2006.

Passed by the City Council on the 7 day of September 2006.



Howard Botts, Mayor

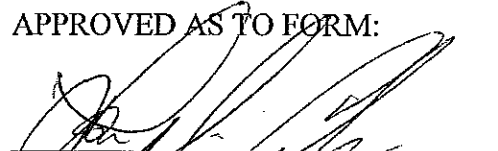
ATTEST:



COPY

Brenda Streepy, City Clerk/Treasurer

APPROVED AS TO FORM:



Loren D. Combs, City Attorney

Published: September 12, 2006
Effective Date: September 17, 2006