

# CITY OF MAPLE VALLEY, WASHINGTON

## ORDINANCE NO. O-12-510

### AN ORDINANCE OF THE CITY OF MAPLE VALLEY, WASHINGTON, AMENDING MAPLE VALLEY MUNICIPAL CODE SECTION 2.20.040, AGENT TO RECEIVE CLAIMS FOR DAMAGES, PROVIDING FOR SEVERABILITY, ESTABLISHING AN EFFECTIVE DATE AND PROVIDING FOR CORRECTIONS.

WHEREAS, the City Council adopted Maple Valley Municipal Code Section 2.20.040 in 2001; and

WHEREAS, the City Council adopted an amendment to the Maple Valley Municipal Code Section 2.20.040 in 2009 to comply with changes in state law pursuant to ESSB 1553 that required the City to amend MVMC 2.20.040; and

WHEREAS, the City Council adopted a further amendment to Maple Valley Municipal Code Section 2.20.040 in 2011 when a new City Clerk was hired; and

WHEREAS, City staff recommend a further amendment to Maple Valley Municipal Code Section 2.20.040 to identify the designated agent by name, as required by RCW 4.96.020;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MAPLE VALLEY, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Maple Valley Municipal Code, Section 2.20.040, Agent to receive claims for damages, is amended as follows:

#### **2.20.040 Agent to receive claims for damages; claims procedure**

Section 1. Designation of Agent. The City Clerk, Shaunna Lee-Rice or Deputy City Clerk, Bonnie Barney, in the City Clerk's absence, is hereby appointed to be the City agent responsible to receive claims for damages made under Chapter 4.96 RCW, as written or hereafter amended. A claim is deemed presented when the claim form is delivered in person or is received by the City Clerk by regular mail, registered mail, or certified mail, with return receipt requested. All claims for damages must be presented on the standard tort claim form, which is available in the Clerk's Office at City Hall, or on the City's website at: [www.maplevalleywa.gov](http://www.maplevalleywa.gov). Claims may not be presented via email or facsimile transmission. The City Clerk, Shaunna Lee-Rice or Deputy City Clerk, Bonnie Barney, shall be available to receive claims for damages during normal City Hall business hours as established by Maple Valley Municipal Code §2.05.010 at

Maple Valley City Hall, 22017 SE Wax Road, Suite 200, P.O. Box 320 (mailing), Maple Valley, Washington 98038.

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. A summary of 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.

Section 4. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 27<sup>th</sup> OF AUGUST, 2012.

CITY OF MAPLE VALLEY

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William T. Allison, Mayor

ATTEST/AUTHENTICATED:

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Shaunna Lee-Rice, City Clerk

Approved as to form:

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Christy A. Todd, City Attorney

Date of Publication: September 4, 2012

Effective Date: September 9, 2012