

## ORDINANCE NO. 1217

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO MONETARY DONATIONS MADE TO THE CITY; ADOPTING A NEW CHAPTER 3.50 TO THE GIG HARBOR MUNICIPAL CODE CREATING A "DONATIONS TO THE CITY OF GIG HARBOR FUND"; ADOPTING A NEW CHAPTER 3.52 TO THE GIG HARBOR MUNICIPAL CODE CONCERNING THE ACCEPTANCE OF MONETARY DONATIONS TO THE CITY; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

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WHEREAS, RCW 35.21.100 requires that donations to the City be accepted by ordinance; and

WHEREAS, the City Council desires this ordinance to establish a procedure and means for the acceptance of donations to the City; and

WHEREAS, the City Council desires to create a new fund entitled "Donations to the City of Gig Harbor Fund"; Now, therefore,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, DO  
ORDAIN AS FOLLOWS:

Section 1. New Chapter 3.50 - Adopted. A new chapter 3.50 of the Gig Harbor Municipal Code is adopted to read as follows:

### Chapter 3.50 Donations to the City of Gig Harbor Fund

Sections:

3.50.010      Created

#### **3.50.010 Created.**

There is created in the treasury of the city a special fund to be designated as the "Donations to the City of Gig Harbor Fund." Such special fund is created for the purpose of administering and accounting for monetary donations made to the City for specific public purposes or projects and the expenditures thereof.

Section 2. New Chapter 3.52 - Adopted. A new chapter 3.52 of the Gig Harbor Municipal Code is adopted to read as follows:

## **Chapter 3.52** **Monetary Donations**

Sections:

- 3.52.010      Acceptance.
- 3.52.020      Use.
- 3.52.030      Annual report.

### **3.52.010      Acceptance.**

The City Administrator is authorized to accept all monetary donations of \$20,000.00 or less and to carry out any conditions thereof in accordance with the City of Gig Harbor's Monetary Donations Policy, if the terms or conditions are within the powers granted by law to the city. The City Administrator may decline to accept a donation if such donation is not consistent with the policies, plans, goals or ordinances of the city or if acceptance of same is contrary to law.

### **3.52.020      Use.**

In the event a donor has indicated a desire for a particular use of a donation by the City, such donation shall, to the extent reasonably feasible, be used consistent with the donor's desired use. If a donor has not specified a particular desired use, the donation may be used for any municipal purpose.

### **3.52.030      Annual report.**

The City Administrator shall provide the City Council with an annual report listing the nature and value of any and all monetary donations which were approved and accepted by the City Administrator in accordance with this chapter during the calendar year preceding the report.

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

**Section 4. Effective Date.** This ordinance shall take effect and be in full force and effect five days after passage and publication of an approved summary consisting of the title.

PASSED by the Council and approved by the Mayor of the City of Gig Harbor, this 11th day of July, 2011.

CITY OF GIG HARBOR

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Mayor Charles L. Hunter

ATTEST/AUTHENTICATED:

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Molly M. Towslee, City Clerk

APPROVED AS TO FORM:  
Office of the City Attorney

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Angela S. Belbeck

FILED WITH THE CITY CLERK: 06/22/11  
PASSED BY THE CITY COUNCIL: 07/11/11  
PUBLISHED: 07/20/11  
EFFECTIVE DATE: 07/25/11  
ORDINANCE NO: 1217