

**CITY OF MONROE
ORDINANCE NO. 009/2017**

AN ORDINANCE OF THE CITY OF MONROE,
WASHINGTON, AMENDING CHAPTER 3.26 MMC PUBLIC
WORK OR IMPROVEMENT; DESIGNATING THE CITY OF
MONROE AS THE OBLIGEE OF CONTRACT BONDS
POSTED BY CONTRACTORS ON CITY PUBLIC WORKS
PROJECTS; PROVIDING FOR SEVERABILITY; AND
FIXING A TIME WHEN THE SAME SHALL BECOME
EFFECTIVE

WHEREAS, the City of Monroe routinely contracts for public works and improvements in accordance with applicable state and local contracting requirements; and

WHEREAS, in accordance with Chapter 39.08 RCW, the City requires public works contractors to make, execute and deliver to the City a performance and payment bond guaranteeing the faithful performance of the contract; the payment of all laborers, mechanics, subcontractors and material suppliers; and the payment of all applicable taxes, increases and penalties incurred on the project; and

WHEREAS, RCW 39.08.030 authorizes the City to designate, by general ordinance, that such bonds shall run to the City rather than to the State of Washington; and

WHEREAS, the City Council desires to amend Chapter 3.26 MMC for the purpose of effectuating such designation.

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

Section 1. Amendment of Chapter 3.26 MMC. Chapter 3.26 of the Monroe Municipal Code is hereby amended by the addition of a new Section 3.26.090 to provide in its entirety as follows:

3.26.090 Performance and payment bonds.

The contractor performance and payment bonds required by RCW 39.08.010 shall run and be payable to the city of Monroe.

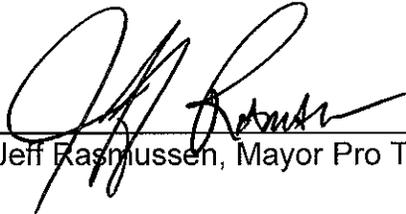
Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. This ordinance shall be in full force and effect thirty (30) days from and after its passage and shall be published as required by law.

Passed by the City Council and approved by the Mayor of the City of Monroe, at a regular meeting held this 25th day of April, 2017.

First Reading April 18, 2017
Adoption: April 25, 2017
Published: April 28, 2017
Effective: May 25, 2017

CITY OF MONROE, WASHINGTON:



Jeff Rasmussen, Mayor Pro Tem

(Seal)

ATTEST:

APPROVED AS TO FORM:



Elizabeth M. Adkisson, MMC, City Clerk



J. Zachary Lell, City Attorney