

## **Title 3**

### **REVENUE AND FINANCE**

#### **Chapters:**

- 3.04 Local Improvement Guaranty Fund**
- 3.08 Payroll Fund**
- 3.12 Miscellaneous Funds**
- 3.16 Claims and Obligations**
- 3.20 Sales or Use Tax**
- 3.24 Real Estate Excise Tax**
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## Chapter 3.04

### LOCAL IMPROVEMENT GUARANTY FUND\*

Sections:

- 3.04.010 Established.
- 3.04.020 Surplus funds – Transfer.
- 3.04.030 Tax levy – When.
- 3.04.040 Defaulted bonds, coupons and warrants – Purchase.
- 3.04.050 Warrants – Interest.

\*For statutory provisions on local improvement guaranty funds, see Chapter 35.54 RCW.

#### **3.04.010 Established.**

There is established a local improvement guaranty fund for the purpose of guaranteeing, to the extent of the fund, the payment of local improvement bonds and warrants issued to pay for any local improvement ordered. (Ord. 252 § 1, 1968).

#### **3.04.020 Surplus funds – Transfer.**

If in any local improvement fund heretofore established there are surplus funds remaining after the payment of all outstanding bonds and warrants payable therefrom, such surplus funds shall be transferred into the local improvement guaranty fund. (Ord. 252 § 2, 1968).

#### **3.04.030 Tax levy – When.**

For the purpose of maintaining the local improvement guaranty fund, the town council shall, at the time of making its annual budget and tax levy, provide for the levy of a sum sufficient, with the other sources of the fund, to pay the warrants issued against the fund during the preceding fiscal year and to establish a balance therein. (Ord. 252 § 3, 1968).

#### **3.04.040 Defaulted bonds, coupons and warrants – Purchase.**

Defaulted bonds, interest coupons and warrants against local improvement funds shall be purchased out of the guaranty fund, and, as between the several issues of bonds, coupons or warrants, no preference shall exist, but they shall be purchased in the order of their presentation. (Ord. 252 § 4, 1968).

#### **3.04.050 Warrants – Interest.**

Warrants drawing interest at a rate not to exceed six percent shall be issued against the local

improvement guaranty fund to meet any liability accruing against it. The warrants so issued shall at no time exceed five percent of the outstanding obligations guaranteed by the fund. (Ord. 252 § 5, 1968).

**Chapter 3.08**

**PAYROLL FUND\***

Sections:

- 3.08.010 Established.
- 3.08.020 Disbursement of funds.
- 3.08.030 Deposit of funds – Account keeping.
- 3.08.040 Transfer of funds.
- 3.08.050 Use of funds.
- 3.08.060 Warrants – Issuance – Bills.

\*For statutory provisions authorizing the creation of a payroll fund, see RCW 35.21.085.

**3.08.010 Established.**

There is established in the office of the town treasurer, pursuant to RCW 35.21.085, a special fund, to be known and designated as the “Payroll Fund,” for the purpose of paying any moneys due town employees for salaries and wages. (Ord. 244 § 1, 1967).

**3.08.020 Disbursement of funds.**

All moneys placed in the payroll fund, as directed by the town council from time to time, may be drawn upon by warrants and may be cashed for the purpose of paying any moneys due town employees for salaries and wages. Moneys placed in said payroll fund may be drawn from any other funds available. (Ord. 244 § 2, 1967).

**3.08.030 Deposit of funds – Account keeping.**

The town treasurer is authorized to deposit, place and keep in the payroll fund such sums or funds as may be received or available for the purpose of paying salaries and wages. The accounts of the payroll fund shall be kept and maintained in such manner as to show the department or departments and respective amounts for which each payment or warrant is issued and payable. (Ord. 244 § 3, 1967).

**3.08.040 Transfer of funds.**

Any and all transfers from an insolvent fund to the payroll fund shall be by warrant. (Ord. 244 § 4, 1967).

**3.08.050 Use of funds.**

The use of the payroll fund shall not apply to payments from trust funds, or payments from local improvement district funds, or from other funds where the law requires that a separate series of warrants be issued. (Ord. 244 § 5, 1967).

**3.08.060 Warrants – Issuance – Bills.**

Warrants against the payroll fund shall be issued only after there have been filed with the town clerk proper payrolls, due bills or time certificates approved by the town council stating the nature of the services rendered, the amount due or owing, and the persons entitled thereto. All warrants issued on or against said funds shall be solely and only for the purposes herein set forth, and shall be payable only out of and from said fund. Each warrant issued under the provisions of this chapter shall have printed upon its face the words “Payroll Fund”. (Ord. 244 § 6, 1967).

## Chapter 3.12

### MISCELLANEOUS FUNDS\*

#### Sections:

- 3.12.010 Billings and claims fund.
- 3.12.020 Utility deposit refund fund.
- 3.12.030 Energy conservation fund.
- 3.12.040 Petty cash and change funds.

\*For statutory provisions authorizing the creation of a claim fund, see RCW 35.21.085; for provisions on funds generally, see RCW 35.37.010.

#### **3.12.010 Billings and claims fund.**

A. A sum shall be transferred to a special fund to be designated as the "town billing and claims fund," similar in form and purpose to the payroll fund previously established by ordinance of the town, to avoid the duplication of checks issued by the town to various suppliers and claimants against the town from various departments of the town.

B. Each month the town treasurer shall transfer to the town billings and claims fund an amount equal to the various billings and claims approved by the council against each of the various departments and funds of the town.

C. The town clerk and the mayor shall issue one check for the sum of all approved billings or claims.

D. In order to avoid confusion in the keeping of town records and audits, the new procedure for the payment of various billings and claims from the town billing and claims fund shall become effective as of January 1, 1975. (Ord. 74-8 §§ 1 – 4, 1974).

#### **3.12.020 Utility deposit refund fund.**

A. There is established a special utility deposit refund fund to be used for the deposit of all utility deposits received by the town clerk from users of public utilities and used by the town clerk for the payment of any credits remaining due from such deposits at the termination of the use of utilities by various users.

B. The treasurer is directed to transfer the sum of \$400.00 from the light department funds to the special utility deposit refund fund.

C. Effective the first day of January, 1975, all utility deposits received by the town clerk from customers of the utilities of the town shall henceforth be deposited in the special utilities deposit refund fund.

D. After the effective date of the ordinance codified in this section, the clerk shall be and is authorized to make utility deposit refunds directly to utility customers of the town who are entitled to refunds upon termination of utility services without the delay of having to send a voucher to the town treasurer for approval. (Ord. 74-9 §§ 1 – 4, 1974).

#### **3.12.030 Energy conservation fund.**

The energy conservation fund is established and energy conservation money shall be placed therein and all necessary disbursements made therefrom in the manner provided by law and shall be specifically restricted to the purposes for which such moneys are paid and held by the town. (Ord. 85-2 § 2, 1985).

#### **3.12.040 Petty cash and change funds.**

A. Established. There is hereby established a petty cash fund and a change fund. The petty cash fund is established for the purpose of making minor authorized disbursements and shall be funded in the sum of \$400.00. The change fund is established for the purpose of making change and shall always have \$100.00 in small bills and change and will not be used for any other purpose. The town clerk shall be the custodian of the petty cash and change funds and shall be responsible for all accounting thereof.

B. Appropriation of Funds. The sum of \$400.00 is appropriated from the current expense fund, for the petty cash fund, and \$100.00 for the change fund. The town clerk, or his/her designee, is authorized to make change from the change fund and at all times the balance of the change fund must remain at \$100.00.

C. Disbursements. Minor sums may be withdrawn from the petty cash fund for payment or reimbursement upon proper receipts and in accordance with state law and regulations set forth by the office of State Auditor of legitimate town obligations. The town council in accordance with usual policy and procedures shall replenish the petty cash fund upon approval of vouchers. The mayor or town clerk shall have authority to authorize said disbursements. (Ord. 99-04 §§ 1, 2, 3, 1999).

**Chapter 3.16****CLAIMS AND OBLIGATIONS\***

## Sections:

3.16.010 Payment of claims or obligations of the town.

\* For statutory provisions on payment of claims and obligations by warrants or check, see RCW 35.27.345; for provisions on city and town warrants, see RCW 35.21.320; for provisions on interest rates on municipal warrants, see RCW 39.56.020.

**3.16.010 Payment of claims or obligations of the town.**

Pursuant to RCW 35.27.345, payment of claims or obligations of the town shall be by check or warrant if the fund is not solvent. The qualified public depository, whereon such checks are to be drawn, shall be Venture Bank located at 121 Washington Ave. N., Eatonville, WA 98328 with the town administrators authorized to sign checks/warrants being the town clerk, the mayor, and the mayor pro tem, with two of the previous three signatures required. (Ord. 2009-02 § 1, 2009; Ord. 122 § 1, 1946).

**Chapter 3.20****SALES OR USE TAX**

## Sections:

3.20.010 Imposition of sales or use tax.  
 3.20.020 Rate of tax imposed.  
 3.20.030 Administration and collection of tax.  
 3.20.040 Consent to inspection of records.  
 3.20.050 Authorizing execution of contract for administration.  
 3.20.060 Special initiative.  
 3.20.070 Penalties.  
 3.20.080 Severability.

**3.20.010 Imposition of sales or use tax.**

There is imposed a sales or use tax, as the case may be, as authorized by RCW 82.14.030(2), upon every taxable event, as defined in RCW 82.14.020, occurring within the town. The tax shall be imposed upon and collected from those persons from whom the state sales tax or use tax is collected pursuant to Chapters 82.08 and 82.12 RCW. (Ord. 82-3 § 1, 1982).

**3.20.020 Rate of tax imposed.**

The rate of the tax imposed by EMC 3.20.010 shall be one-half of one percent of the selling price or value of the article used, as the case may be; provided, however, that during such period as there is in effect a sales tax or use tax imposed by Pierce County under Section 17(2), Chapter 49, Laws of 1982, First Extraordinary Session at a rate equal to or greater than the rate imposed by this section, the county shall receive 15 percent of the tax imposed by EMC 3.20.010; provided further, that during such period as there is in effect a sales tax or use tax imposed by Pierce County, under Section 17(2), Chapter 49, Laws of 1982, First Extraordinary Session at a rate which is less than the rate imposed by this section, the county shall receive from the tax imposed by EMC 3.20.010 that amount of revenues equal to 15 percent of the rate of the tax imposed by the county under Section 17(2), Chapter 49, Laws of 1982, First Extraordinary Session. (Ord. 82-3 § 2, 1982).

**3.20.030 Administration and collection of tax.**

The administration and collection of the tax imposed by this shall be in accordance with the provisions of RCW 82.14.050. (Ord. 82-3 § 3, 1982).

**3.20.040 Consent to inspection of records.**

The town consents to the inspection of such records as are necessary to qualify the town for inspection of records of the Department of Revenue, pursuant to RCW 82.32.220. (Ord. 82-3 § 4, 1982).

**3.20.050 Authorizing execution of contract for administration.**

The mayor and clerk are authorized to enter into a contract with the Department of Revenue for the administration of this tax. (Ord. 82-3 § 5, 1982).

**3.20.060 Special initiative.**

This chapter shall be subject to a special initiative. The number of registered voters needed to sign a petition for special initiative shall be 15 percent of the total number of names of persons listed as registered voters within the town on the day of the last preceding municipal general election. If a special initiative petition is filed with the town council, the operation of this chapter shall not be suspended pending a final decision on the disposition of the special initiative. The procedures for initiative contained in RCW 35A.11.100 shall apply to any such special initiative petition. (Ord. 83-1 § 1, 1983; Ord. 82-3 § 6, 1982).

**3.20.070 Penalties.**

Any seller who fails or refuses to collect the tax as required with the intent to violate the provisions of this chapter or to gain some advantage or benefit, either direct or indirect, and any buyer who refuses to pay any tax due under this chapter shall be guilty of a misdemeanor, and upon conviction thereof shall be fined no more than \$500.00 or imprisoned for not more than six months, or by both such fine and imprisonment. (Ord. 82-3 § 7, 1982).

**3.20.080 Severability.**

If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter or the application of the provisions to other persons or circumstances is not affected. (Ord. 82-3 § 8, 1982).

**Chapter 3.24\*****REAL ESTATE EXCISE TAX**

## Sections:

- 3.24.010 Authorization – Imposed.
- 3.24.020 Capital improvement fund.
- 3.24.030 Effective date.
- 3.24.040 Administration and collection of tax.

\*Prior ordinance history: Ord. 86-6.

**3.24.010 Authorization – Imposed.**

Pursuant to RCW 82.46.010, the town imposes an excise tax on each sale of real property within the corporate limits of the town of Eatonville, at a tax rate of one-quarter of one percent of the selling price. (Ord. 88-6 § 1, 1988).

**3.24.020 Capital improvement fund.**

Pursuant to RCW 82.46.010, the moneys received by the town from this tax shall be placed in a town capital improvement fund designated as the real estate excise tax fund – 130, and used only for capital improvement purposes as authorized by state statute. (Ord. 99-03 § 1, 1999; Ord. 88-6 § 2, 1988).

**3.24.030 Effective date.**

The ordinance codified in this chapter shall be effective 30 days from date of its passage and true copies of the ordinance shall be forwarded to the appropriate agencies of the state of Washington, and Pierce County. (Ord. 88-6 § 3, 1988).

**3.24.040 Administration and collection of tax.**

The administration and collection of the tax imposed by this chapter shall be in accordance with the provisions of RCW 82.46.030. (Ord. 88-6 § 4, 1988).

**Chapter 3.28**

**LODGING EXCISE TAX**

Sections:

- 3.28.010 Authorization – Imposed.
- 3.28.020 Definitions.
- 3.28.030 Tax additional to other fees and taxes.
- 3.28.040 Visitor promotion fund.
- 3.28.050 Purposes.
- 3.28.060 Violation – Penalty.
- 3.28.070 Effective date.

**3.28.010 Authorization – Imposed.**

There is levied a special excise tax of four percent on the sale of or charge made for the furnishing of lodging by a hotel, rooming house, tourist court, motel or trailer camp, and the granting of any similar license to use real property, as distinguished from the renting or leasing of real property. It shall be presumed that the occupancy of real property for a continuous period of one month or more constitutes a rental or lease of real property and not a mere license to use or enjoy the same. (Ord. 97-07 § 1, 1997; Ord. 97-05 § 1, 1997).

**3.28.020 Definitions.**

The definitions of “selling price,” “seller,” “buyer,” “consumer,” and all other definitions as are now contained in RCW 82.08.010, and subsequent amendments thereto, are adopted as the definitions for the tax levied in this chapter. (Ord. 97-05 § 2, 1997).

**3.28.030 Tax additional to other fees and taxes.**

The tax levied in this chapter shall be in addition to any license fee or any other tax imposed or levied under any law or any ordinance of the town; provided, the first two percent of the tax shall be deducted from the amount of tax the seller would otherwise be required to collect and pay to the Department of Revenue under Chapter 82.08 RCW. (Ord. 97-05 § 3, 1997).

**3.28.040 Visitor promotion fund.**

There is created a visitor promotion special fund in the treasury of the town and all taxes collected under this chapter shall be placed in this special fund to be used solely for the purpose of paying all or any part of the cost of tourist promotion, acquisition of tourism-related facilities, or operation of tourism-related facilities or to pay for any other

uses as authorized in Chapter 67.28 RCW, as now or hereafter amended. (Ord. 97-05 § 4, 1997).

**3.28.050 Purposes.**

For the purposes of the tax levied in this chapter:

A. The Department of Revenue is designated as the agent of the town for the purposes of collection and administration of the tax.

B. The administrative provisions contained in RCW 82.08.050 through 82.08.070 and in Chapter 82.32 RCW shall apply to administration and collection of the tax by the Department of Revenue.

C. All rules and regulations adopted by the Department of Revenue for the administration of Chapter 82.08 RCW are adopted by reference.

D. The Department of Revenue is authorized to prescribe and utilize such forms and reporting procedures as the department may deem necessary and appropriate. (Ord. 97-05 § 5, 1997).

**3.28.060 Violation – Penalty.**

It is unlawful for any person, firm or corporation to violate or fail to comply with any of the provisions of this chapter. Every person convicted of a violation of any provision of this chapter shall be punished by a fine in a sum not to exceed \$500.00. Each day of violation shall be considered a separate offense. (Ord. 97-05 § 6, 1997).

**3.28.070 Effective date.**

The effective date of the tax imposed by this chapter shall be July 27, 1997, following publication. (Ord. 97-05 § 8, 1997).

**Chapter 3.30**

**UTILITY TAX**

Sections:

3.30.010 Utility tax – Established.

3.30.020 Utility tax – Rate.

**3.30.010 Utility tax – Established.**

The tax provided for in this chapter shall be a tax on the gross earnings of certain town utilities known as the “utility tax” and shall be levied upon gross earnings of revenues derived from electric, water, sewer, garbage and storm drain service to the town of Eatonville. (Ord. 2003-17 § 1, 2003).

**3.30.020 Utility tax – Rate.**

The tax shall be levied at a rate of five percent per annum on the gross revenues of certain utility services including electric, water, sewer, garbage and storm drain. (Ord. 2003-17 § 2, 2003).

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## Chapter 3.32

### PRIVILEGE AND USE TAXES ON GAS

Sections:

- 3.32.010 Privilege tax on sale of natural or manufactured gas.
- 3.32.020 Deductions.
- 3.32.030 Payment periods – Return requirements.
- 3.32.040 Taxpayer records required.
- 3.32.050 Failure to pay – Collection.
- 3.32.060 Money paid in error – Overpayment – Crediting or refund.
- 3.32.070 Violation – Penalty.
- 3.32.080 Promulgation of additional rules – Compliance required.
- 3.32.090 Brokered natural gas use tax.

#### **3.32.010 Privilege tax on sale of natural or manufactured gas.**

Pursuant to RCW 35.21.870, there is levied upon and there shall be collected from every person, firm, or corporation engaged in carrying on or furnishing, for a monetary consideration, natural gas or manufactured gas transported by pipeline for lighting, heating, power, and other public purposes, within or partly within the corporate limits of the town an annual tax for the privileges of so doing, such tax to be equal to six percent of the total gross subscribers' revenues from business and residential gas service within the town, both natural and manufactured. (Ord. 90-24 § 1, 1990).

#### **3.32.020 Deductions.**

In computing the annual taxes there shall be deducted from the gross operating revenues the following items:

- A. The amount of credit losses and uncollectibles actually sustained by the taxpayers;
- B. Amounts derived from transactions in interstate or foreign commerce or from any business which the town is prohibited from taxing under the Constitutions of the United States or the state of Washington. (Ord. 90-24 § 2, 1990).

#### **3.32.030 Payment periods – Return requirements.**

The tax imposed herein shall be due and payable quarterly on the 15th day of November of each year for the period ending September 30th; on the 15th day of February of each year for the period ending December 31st of the preceding year; on the 15th day of May of each year for the period ending

March 31st of such year; and on the 15th day of August of each year for the period ending June 30th of such year. On or before the due date, the taxpayers shall file with the town clerk-treasurer a written return, upon such forms and setting forth such information as the clerk-treasurer reasonably requires, together with the payment of the amount of tax. (Ord. 90-24 § 3, 1990).

#### **3.32.040 Taxpayer records required.**

Each taxpayer shall keep records reflecting the amount of his gross subscribers' revenues, and such records shall be open at all reasonable times to the inspection of the town clerk-treasurer, or duly authorized subordinates, for verification of the tax returns or for the fixing of the tax of the taxpayer who fails to make such returns. Such records shall be maintained and available for inspection for three years after the due date of any applicable tax. (Ord. 90-24 § 4, 1990).

#### **3.32.050 Failure to pay – Collection.**

If any person, firm or corporation subject to this chapter fails to pay any tax required by this chapter within 30 days after the due date thereof, there shall be added to such tax, a penalty of 10 percent of the amount of such tax, and any tax due under this chapter and unpaid, and all penalties thereon, shall constitute a debt to the town, and may be collected by court proceedings, which remedies shall be in addition to all other remedies. (Ord. 90-24 § 5, 1990).

#### **3.32.060 Money paid in error – Overpayment – Crediting or refund.**

Any money paid to the town through error or otherwise not in payment of the tax imposed by this chapter or in excess of such tax shall, upon request of the taxpayer, be credited against any tax due or to become due from such taxpayer under this chapter, or upon the taxpayer's ceasing to do business in the town, be refunded to the taxpayer. (Ord. 90-24 § 6, 1990).

#### **3.32.070 Violation – Penalty.**

Any person, firm or corporation subject to this chapter who fails or refuses to make the tax returns or to pay the tax when due, or who makes any false statement or representation in or in connection with any such application, or otherwise violates or refuses or fails to comply with this chapter, is guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in Chapter 1.12. (Ord. 90-24 § 7, 1990).

### **3.32.080 Promulgation of additional rules – Compliance required.**

The clerk-treasurer is authorized to adopt, publish and enforce, from time to time, such rules and regulations for the proper administration of this chapter as are necessary, and it is a violation of this chapter to violate or to fail to comply with any such rule or regulation lawfully promulgated under this chapter. (Ord. 90-24 § 8, 1990).

### **3.32.090 Brokered natural gas use tax.**

Pursuant to RCW 82.14.230, there is fixed and imposed on every person a use tax for the privilege of using natural gas or manufactured gas in the town as a consumer.

A. The amount of the tax imposed shall be an amount equal to the value of the article used by the taxpayer in the town multiplied by the rate specified in EMC 3.32.010. The “value of the article used,” does not include any amounts that are paid for the hire or use of a natural gas business in transporting the gas subject to tax under this subsection if those amounts are subject to tax under EMC 3.32.010.

B. The tax imposed under this section shall not apply to the use of natural or manufactured gas if the person who sold the gas to the consumer has paid a tax under EMC 3.32.010 with respect to the gas for which exemption is sought under this subsection.

C. There shall be a credit against the tax levied under this section in an amount equal to any tax paid by:

1. The person who sold the gas to the consumer when that tax is a gross receipts tax similar to that imposed pursuant to RCW 35.21.870, as implemented in EMC 3.32.010, by another state with respect to the gas for which a credit is sought under this subsection; or

2. The person consuming the gas upon which a use tax similar to the tax imposed by this section was paid to another state with respect to the gas for which a credit is sought under this subsection.

D. The use tax hereby imposed shall be paid by the consumer. The administration and collection of the tax hereby imposed shall be pursuant to RCW 82.14.050. (Ord. 90-24 § 9, 1990).

## **Chapter 3.36**

### **REGISTRATION OF BONDS AND OBLIGATIONS**

Sections:

- 3.36.010 Definitions.
- 3.36.020 Findings.
- 3.36.030 Adoption of registration system.
- 3.36.040 Statement of transfer restrictions.

#### **3.36.010 Definitions.**

The following words shall have the following meanings when used in this chapter:

A. “Bond” or “bonds” has the meaning defined in RCW 39.46.020(1), as the same may be amended from time to time.

B. “Town” means the town of Eatonville, Washington.

C. “Fiscal agencies” means the duly appointed fiscal agencies of the state of Washington serving as such at any given time.

D. “Obligation” or “obligations” has the meaning defined in RCW 39.46.020(3), as the same from time to time may be amended.

E. “Registrar” means the person, persons or entity designated by the town to register ownership of bonds or obligations under this chapter or under an ordinance of the town authorizing the issuance of such bonds or obligations. (Ord. 2000-11 § 1, 2000).

#### **3.36.020 Findings.**

The town council of the town finds that it is in the town’s best interest to establish a system of registering the ownership of the town’s bonds and obligations in the manner permitted by law. (Ord. 2000-11 § 2, 2000).

#### **3.36.030 Adoption of registration system.**

The town adopts the following system of registering the ownership of its bonds and obligations.

A. Registration Requirement. All bonds and obligations offered to the public, having a maturity of more than one year, on which the interest is intended to be excluded from gross income for federal income tax purposes, shall be registered as to both principal and interest as provided in this chapter.

B. Method of Registration. The registration of all town bonds and obligations required to be registered shall be carried out either by:

1. A book entry system of recording the ownership of the bond or obligation on the books

of the registrar, whether or not a physical instrument is issued; or

2. Recording the ownership of the bond or obligation and requiring as a condition of the transfer of ownership of any bond or obligation the surrender of the old bond or obligation and either the reissuance of the old bond or obligation or the issuance of a new bond or obligation to the new owner.

No transfer of any bond or obligation subject to registration requirements shall be effective until the name of the new owner and the new owner's mailing address, together with such other information deemed appropriate by the registrar, shall be recorded on the books of the registrar.

C. Denominations. Except as may be provided otherwise by the ordinance authorizing their issuance, registered bonds or obligations may be issued and reissued in any denomination up to the outstanding principal amount of the bonds or obligations of which they are a part. Such denominations may represent all or a part of a maturity or several maturities and on reissuance may be in smaller amounts than the individual denominations for which they are reissued.

D. Appointment of Registrar. Unless otherwise provided in the ordinance authorizing the issuance of registered bonds or obligations, the town treasurer shall be the registrar for all registered interest-bearing warrants, installment contracts, interest-bearing leases, and other registered bonds or obligations not usually subject to trading without a fixed maturity date or maturing one year or less after issuance and the fiscal agencies shall be the registrar for all other town bonds and obligations without a fixed maturity date or maturing more than one year after issuance.

E. Duties of Registrar. The registrar shall serve as the town's authenticating trustee, transfer agent, registrar, and paying agent for all registered bonds and obligations for which he, she, or it serves as registrar and shall comply fully with all applicable federal and state laws and regulations respecting the carrying out of those duties.

The rights, duties, responsibilities and compensation of the registrar shall be prescribed in each ordinance authorizing the issuance of the bonds or obligations, which rights, duties, responsibilities, and compensation shall be embodied in a contract executed by the town and the registrar, except that (1) when the fiscal agencies serve as registrar, the town adopts by reference the contract between the State Finance Committee of the State of Washington and the fiscal agencies in lieu of executing a separate contract and prescribing by ordinance the

rights, duties, obligations and compensation of the registrar, and (2) when the town treasurer serves as registrar, a separate contract shall not be required.

In all cases when the registrar is not the fiscal agencies and the bonds or obligations are assignable, the ordinance authorizing the issuance of the registered bonds or obligations shall specify the terms and conditions of:

1. Making payments of principal and interest;
2. Printing any physical instruments, including the use of identifying numbers or other designation;
3. Specifying record and payment dates;
4. Determining denominations;
5. Establishing the manner of communicating with the owners of the bonds or obligations;
6. Establishing the methods of receipting for the physical instruments for payment of principal, the destruction of such instruments and the certification of such destruction;
7. Registering or releasing security interests, if any; and
8. Such other matters pertaining to the registration of the bonds or obligations authorized by such ordinance as the town may deem to be necessary or appropriate. (Ord. 2000-11 § 3, 2000).

### **3.36.040 Statement of transfer restrictions.**

Any physical instrument issued or executed by the town subject to registration under this chapter shall state that the principal of and interest on the bonds or obligations shall be paid only to the owner thereof registered as such on the books of the registrar as of the record date defined in the instrument and to no other person, and that such instrument, either principal or interest, may not be assigned except on the books of the registrar. (Ord. 2000-11 § 4, 2000).

