

**Chapter 35A.42 RCW**  
**PUBLIC OFFICERS AND AGENCIES, MEETINGS, DUTIES AND POWERS**

**Sections**

35A.42.010 City treasurer—Miscellaneous authority and duties.  
35A.42.020 Qualification, removal, code of ethics, duties.  
35A.42.030 Continuity of government—Enemy attack.  
35A.42.040 City clerks and controllers.  
35A.42.050 Public officers and employees—Conduct.

*Dog handler using dog in line of duty—Immunity: RCW 4.24.410.*

**RCW 35A.42.010 City treasurer—Miscellaneous authority and duties.** In addition to authority granted and duties imposed upon code city treasurers by this title, code city treasurers, or the officers designated by charter or ordinance to perform the duties of a treasurer, shall have the duties and the authority to perform the following: (1) As provided in RCW 8.12.500 relating to bonds and compensation payments in eminent domain proceedings; (2) as provided in RCW 68.52.050 relating to cemetery improvement funds; (3) as provided in RCW 41.28.080 relating to custody of employees' retirement funds; (4) as provided in RCW 47.08.100 relating to the use of city street funds; (5) as provided in RCW 46.68.080 relating to motor vehicle funds; (6) as provided in RCW 41.16.020 and chapter 41.20 RCW relating to police and firefighters' relief and pension boards; (7) as provided in chapter 42.20 RCW relating to misappropriation of funds; and (8) as provided in chapter 39.60 RCW relating to investment of municipal funds. The treasurer shall be subject to the penalties imposed for the violation of any of such provisions. Where a provision of this title, or the general law, names the city treasurer as an officer of a board or other body, or assigns duties to a city treasurer, such position shall be filled, or such duties performed, by the officer of a code city who is performing the duties usually performed by a city treasurer, although he or she may not have that designation. [2009 c 549 § 3039; 1987 c 331 § 78; 1984 c 258 § 320; 1967 ex.s. c 119 § 35A.42.010.]

**Effective date—1987 c 331:** See RCW 68.05.900.

**Court Improvement Act of 1984—Effective dates—Severability—Short title—1984 c 258:** See notes following RCW 3.30.010.

**Intent—1984 c 258:** See note following RCW 3.34.130.

**RCW 35A.42.020 Qualification, removal, code of ethics, duties.** Except as otherwise provided in this title, every elective and appointive officer and all employees of code cities shall: (1) Be possessed of the qualifications and be subject to forfeiture of office, impeachment or removal and recall as provided in chapter 42.04 RCW and \*RCW 9.81.040; and (2) provide official bonds in accordance with the requirements of this title, and as required in compliance with chapters 42.08 and 48.28 RCW.

When vacancies in public offices in code cities shall occur the term of a replacement officer shall be fixed as provided in chapter 42.12 RCW. A public officer charged with misconduct as defined in chapter 42.20 RCW, shall be charged and, upon conviction, punished as provided for such misconduct in chapter 42.20 RCW. The officers and employees of code cities shall be guided and governed by the code of ethics as provided in chapter 42.23 RCW. Vouchers for the payment of public funds and the provisions for certifying the same shall be as provided in chapter 42.24 RCW. The meetings of any board, agency, or commission of a code city shall be open to the public to the extent and notice given in the manner required by **\*\*chapter 42.32 RCW.** [1967 ex.s. c 119 § 35A.42.020.]

**Reviser's note:** \*(1) RCW 9.81.040 was repealed by 2023 c 102 § 11.

\*\* (2) RCW 42.32.010 and 42.32.020 were repealed by 1971 ex.s. c 250 § 15; later enactment, see chapter 42.30 RCW. RCW 42.32.030 was recodified as RCW 42.30.035 pursuant to 2017 3rd sp.s. c 25 § 30.

*Recall of elective officers: State Constitution Art. 1 §§ 33, 34 (Amendment 8); chapter 29A.56 RCW.*

*Residence qualifications of officials and employees: RCW 35.21.200.*

**RCW 35A.42.030 Continuity of government—Enemy attack.** In the event that the mayor, manager or other chief executive officer of any code city is unavailable by reason of enemy attack to exercise the powers and to discharge the duties of his or her office, his or her successor or substitute shall be selected in the manner provided by RCW 42.14.050 subject to rules and regulations providing for the appointment of temporary interim successors adopted under RCW 42.14.070. [2009 c 549 § 3040; 1967 ex.s. c 119 § 35A.42.030.]

**RCW 35A.42.040 City clerks and controllers.** In addition to any specific enumeration of duties of city clerks in a code city's charter or ordinances, and without limiting the generality of RCW 35A.21.030 of this title, the clerks of all code cities shall perform the following duties in the manner prescribed, to wit: (1) Certification of city streets as part of the highway system in accordance with the provisions of RCW 47.24.010; (2) perform the functions of a member of a firefighters' pension board as provided by RCW 41.16.020; (3) keep a record of ordinances of the city and provide copies thereof as authorized by RCW 5.44.080; (4) serve as applicable the trustees of any police relief and pension board as authorized by RCW 41.20.010; and (5) serve as secretary-treasurer of volunteer firefighters' relief and pension boards as provided in RCW 41.24.060. [2013 c 23 § 65; 1991 c 81 § 39; 1967 ex.s. c 119 § 35A.42.040.]

**Effective date—1991 c 81:** See note following RCW 29A.84.540.

**RCW 35A.42.050 Public officers and employees—Conduct.** In addition to provisions of general law relating to public officials and others in public administration, employment or public works, the duties and conduct of such officers and other persons shall be

governed by: (1) Chapter 9A.68 RCW relating to bribery of a public officer; (2) Article II, section 30 of the Constitution of the state of Washington relating to bribery or corrupt solicitation; (3) RCW 35.17.150 relating to misconduct in code cities having a commission form of government; (4) chapter 42.23 RCW in regard to interest in contracts; (5) chapter 29A.84 RCW relating to misconduct in connection with elections; (6) RCW 49.44.060 relating to grafting by employees; (7) RCW 49.44.020 and 49.44.030 relating to the giving or solicitation of a bribe to a labor representative; (8) chapter 42.20 RCW relating to misconduct of a public officer; (9) RCW 49.52.050 and 49.52.090 relating to rebating by employees; and (10) chapter 9.18 RCW relating to bribery and grafting. [2015 c 53 § 58; 1983 c 3 § 67; 1967 ex.s. c 119 § 35A.42.050.]