



SUBJECT: Notary Services	EFFECTIVE: November 2007 REVIEWED: May 2011, January 2020 REVISED: February 2024
CATEGORY: 600 POLICY NUMBER: 600.4	CROSS REFERENCE:

Purpose

To provide guidelines to employees whom the city has requested to become notaries to conduct city business and meet the business needs of the city.

Scope

All employees that hold a notary seal as part of their employment with the city.

Policy

When the city requests an employee to become a notary, the city will pay the related costs including but is not limited to, the application fee and the notary seal. During work hours, employees who are notaries may only use their notary authority for city-related business such as witnessing signatures and administering oaths. The city does not provide notarial services to the public. Employees who wish to perform notarization services when off-duty may do so in accordance with state law and city Policy 200.37, "Outside Employment". Employees who choose to provide notary services when off-duty are encouraged to keep a separate notary journal for notarizations of documents that are not city-related. The city will not purchase a separate journal for this private use. As allowed by Oregon law, the city provides notary services for those documents that pertain to city business.

Guidelines for Use

The employee must sign a Notary Services Agreement and Journal Retention Agreement with the City Recorder whereby the employee agrees to leave the journal with the city upon separation from city employment. The employee may retain the notary seal. All seals are to be destroyed at the expiration of the notary commission.

Per Oregon Administrative Rule (OAR) 160-100-0210, notaries should not collect account numbers (such as driver license numbers, Social Security Numbers, and credit account numbers). When noting information about identification cards, all that is recorded is:

- The government entity issuing the information;
- the type of document; and
- expiration date.

Example: State of Oregon Driver License (ODL), expiration 9/07/2020

When someone requests a copy or verification of a prior notary where personal identifying information was obtained, only the last 4 digits of an account number should be given unless it is for court purposes.

Procedures

- The city determines a need for an employee to become a certified notary.
- The city pays the costs associated with the employee becoming a notary.
- Upon becoming a notary, the employee enters into a Notary Services Agreement with the city which is placed in the employee's personnel file.
- During the employee's tenure with the city, the notary journal will be located at the city and the employee will be available during work hours to notarize documents as outlined in this policy.
- Upon separation from the city, the employee enters a Notary Journal Retention Agreement with the city and leaves the journal with the city but may retain the seal.
- When the commission expires, the seal is destroyed.

Responsibilities

Departments

- Each department of the city that requires notarization of forms shall have a notary on staff. The department shall pay the related costs, which include, but are not limited to, certifications and renewals.

City Recorder

- Enters a signed Notary Services Agreement with employees who become notaries and Journal Retention Agreement with the employees when the employee stops working for the city. Both the services and journal agreements will be submitted to Human Resources for retention in the employee personnel file.
- Ensure that the notary journal and signed Notary Journal Retention Agreement are returned to the city prior to the employee's departure.
- Retain departed employee's journal per state retention guidelines (<https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=590>).

Notary

- Each notary is solely responsible for updating their commission information and renewals with the Oregon Secretary of State (<https://sos.oregon.gov/business/Pages/notary.aspx>).
- Follow state rules and regulations regarding the appropriate use of the notary seal. The notary has the sole responsibility to refuse a notarization if the person does not provide appropriate documentation or is otherwise not in conformance with state or city regulations.
- Enter into a Notary Services Agreement and a Journal Retention Agreement regarding the notary journal being retained by the city upon separation from the city for any reason.
- Relinquish the journal to the city upon departure.
- Properly destroy the seal at the expiration of the commission.

Human Resources

- Retain a signed Notary Services Agreement and Journal Retention Agreement in the employee's personnel file.

NOTARY SERVICES AGREEMENT
For Use with Employee Begins Serving as a Notary

I, _____, have received, read, understand and agree to comply with the provisions and terms of the Notary Services Policy and Procedures including that the city will retain all rights to the notary journal both during and post my employment with the city. City employees who are notaries are asked to perform notarial duties during work hours, employees who are notaries may only use their notary authority for city-related business such as witnessing signatures and administering oaths. The city does not provide notarial services to the public.

Employee Signature

Date

Supervisor Signature

Date

JOURNAL RETENTION AGREEMENT
Upon Departure of Employee or When Notary Journal is Completed

Date: _____

To Whom It May Concern:

The notary public named here, _____ (insert name) has entered into an agreement with the employer, the City of Milwaukie, for the city's retention and disposal of notary journal for a period of at least ten (10) years (per OAR 160-100-0360). Said journal was used in conjunction with employment with the city.

Entries are from _____ (start date) to _____ (date of last entry).

Commission number is _____ (Insert commission number).

Agreement signed on _____ (insert date).

Notary seal is (enter retained by employee's name, city or destroyed.)

Employee Signature

Supervisor Signature

To report a terminated or missing notary journal complete the appropriate form, see link below.

<https://sos.oregon.gov/business/Pages/notary-public-forms.aspx>