

ORDINANCE NO. 1183

**AN ORDINANCE OF THE CITY OF LAKE FOREST PARK, WASHINGTON, GRANTING A NON-EXCLUSIVE FRANCHISE TO THE LAKE FOREST PARK WATER DISTRICT FOR SIX MONTHS OR LESS, PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE**

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**WHEREAS**, the City of Lake Forest Park ("City"), by Ordinance No. 979, granted Lake Forest Park Water District ("District"), a water utility, a non-exclusive franchise to make use of City streets and rights-of-way for purposes of constructing, maintaining operating, replacing and repairing their water utility system within the City (the "Franchise"); and

**WHEREAS**, the Franchise was effective September 8, 2008, and expires on September 7, 2018; and

**WHEREAS**, extending the terms of Ordinance No. 979 for six months would provide the City and the District with needed time to negotiate a new franchise and have the proposed franchise routed through the City's and the District's internal processes;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE FOREST PARK, WASHINGTON, DO ORDAIN AS FOLLOWS:**

Section 1. Franchise. Given that Ordinance No. 979 has expired, the City Council adopts again all terms of Ordinance No. 979, except section 1.1, which is amended to provide as follows:

1.1 Subject to the terms and conditions hereinafter set forth, the City grants to the District a franchise for a water supply and distribution system. The term of the franchise shall be until March 18, 2019, or until the City and District adopt a franchise that supersedes such terms, whichever is sooner.

Section 2. Directions to City Clerk. The City Clerk is hereby authorized and directed to forward certified copies of this ordinance to the District.

Section 3. Corrections. The City Clerk is authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 4. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance or its application to any person or situation should be held to be invalid or unconstitutional for any reason by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance or its application to any other person or situation.

Section 5. Publication and Effective Date. In accord with state law, this ordinance shall be published and shall take effect five days after said publication.

**APPROVED BY A MAJORITY** of the Lake Forest Park City Council this 13<sup>th</sup> day of September, 2018.


APPROVED:

  
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Jeff Johnson  
Mayor

ATTEST/AUTHENTICATED:

  
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Evelyn Jahed  
City Clerk

APPROVED AS TO FORM:

  
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Kim Adams Pratt  
City Attorney

Introduced: September 13, 2018  
Adopted: September 13, 2018  
Posted: September 18, 2018  
Published: September 18, 2018  
Effective: September 23, 2018