AN ORDINANCE of the City of Kent, Washington, setting forth the authority which governs the proceedings relating to Local Improvement Districts and Utility Local Improvement Districts; and repealing Ordinances 60, 267, 282, 543, 553, 555, 556, 561, 607, 608, 1617, and 1866.

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DO HEREBY ORDAIN AS FOLLOWS:

Section 1. PROCEDURES RELATING TO L.I.D.'S AND U.L.I.D.'S. A local improvement, the cost of which is to be paid by special assessments on the property benefited thereby, may be ordered only by an ordinance pursuant to either a resolution or petition therefor and in accordance with the provisions of Chapters 35.43 through 35.56 of the Revised Code of Washington and all amendments thereto.

Section 2. POWERS AND DUTIES OF CITY ENGINEER - ASSESSMENT ROLL. The City Engineer is designated as the officer to verify any petition filed for a local improvement. All resolutions or petitions initiating a local improvement shall be referred to the City Engineer and it shall be his duty to make all estimates, diagrams, plans and specifications and other data and submit them to the Council upon the hearing of a resolution and at such other times as may be required.

The City Engineer shall prepare the final plans and contract documents and shall obtain bids for the construction of the project.

As soon as possible after the taking effect of an ordinance ordering a local improvement and after the cost and expense thereof can be determined, the City Engineer shall make out an assessment roll and certify the same to the Council, which assessment roll shall contain the description of each lot, tract or parcel of land or other property to be assessed, the amount to be charged, levied or assessed against the same, and the name of the owner thereof, if known.
Section 3. CERTIFICATE OF DELINQUENT ASSESSMENTS. It shall be the duty of the City Treasurer on or before the first day of July of each year, with the assistance and advice of the City Attorney, to prepare and issue a Certificate of all Local Improvement Assessments which are more than two years delinquent on the first day of January preceding, or the final installment of which shall be delinquent for more than one year, for the purpose of foreclosing the same as provided by RCW Chapter 35.50, and deliver the same to the City Attorney for such proceedings as may be necessary in such proceedings.

Section 4. FORM OF BONDS AND COUPONS.

1. All bonds, unless otherwise specially ordered by the Council, issued in pursuance of the provisions of this Ordinance, shall be in substantially the following form:

No. $________________________

UNITED STATES OF AMERICA
STATE OF WASHINGTON
LOCAL IMPROVEMENT BOND
CITY OF KENT
LOCAL IMPROVEMENT DISTRICT NO. _______

This bond is issued by virtue of the provisions of RCW 35.45.010 et seq., S35.45.070 which reads as follows:

"Neither the holder nor the owner of any bond or warrant issued under the provisions of this act shall have any claim therefor against the city or town by which the same is issued, except for payment from the special assessments made for the improvement for which said bond or warrant was issued, and except as against the local improvement guaranty fund of such city or town, and the city or town shall not be liable to any holder or owner of such bond or warrant for any loss to the guaranty fund occurring in the lawful operation thereof by the city or town. The remedy of the holder or owner of a bond or warrant in case of non-payment, shall be confined to the enforcement of the assessment and to the guaranty fund."

The City of Kent, a municipal corporation of the State
of Washington, hereby promises to pay to ____________ Dollars ($______) in lawful money of the United States, with interest thereon at the rate of ____ % per annum, payable annually out of the fund established by Ordinance No. ______ of said City, and known as "Local Improvement Fund, District No. _____," and not otherwise, except from the guaranty fund, as herein provided. Both principal of and interest on this bond are payable at the office of the City Treasurer of said City.

A coupon is hereto attached for each installment of interest to accrue hereon and said interest shall be paid only on presentation and surrender of such coupon to the City Treasurer.

This bond is payable on the ___ day of ______, 19___, but is subject to call by the City Treasurer of said City whenever there shall be sufficient money in said local improvement fund to pay the same and all unpaid bonds of the series of which this bond is one, which are prior to this bond in numerical order, over and above sufficient for the payment of interest on all unpaid bonds of said series. The call for payment of this bond, or of any bond of the series of which there is one, shall be made by the City Treasurer by publishing the same once in the official newspaper of the City, and when such call is made for the payment of this bond it will be paid on the day the next interest coupon thereon shall become due after said call and upon said day interest upon this bond shall cease and any remaining coupons shall be void.

The City Council of said City, as the agent of said Local Improvement District No. ______, established by Ordinance No. ______, has caused this bond to be issued in the name of said City as the bond of said Local Improvement District, the bond or the proceeds thereof to be applied in part payment of so much of the cost and expense of the improvement of ________ under said Ordinance No. ______ as is levied and assessed against the property included in said Local Improvement District No.______ and benefited by said improvement and the said Local Improvement Fund has been established by ordinance for said purpose; and the holder or holders of this bond shall look only to said fund and to the Local Improvement Guaranty Fund of the City of Kent for the payment of either the principal of or interest on this bond.
This bond is one of a series of ___________ bonds aggregating in all the principal of ___________ Dollars ($___________), all of which bonds are subject to the same terms and conditions as herein expressed.

IN WITNESS WHEREOF, the City of Kent has caused these presents to be signed by its Mayor and attested by its City Clerk and sealed with its corporate seal this ___ day of __________, 19 ___.

CITY OF KENT, WASHINGTON

By ________________

Mayor

ATTEST:

_________________________

CITY CLERK

2. There shall be attached to each bond such a number of coupons as shall be required to represent the interest thereon payable either annually or semiannually, as the case may be, for the term of said bonds, which coupons shall be substantially in the following form:

On the ____ day of ____________, 19 ___, the CITY OF KENT, STATE OF WASHINGTON, promises to pay to the bearer at the office of the City Treasurer _______________ Dollars ($___________), being (six)(twelve) months' interest due that day on Bond No. _______ of the bonds of Local Improvement District No. ______, and not otherwise, provided that this coupon is subject to all the terms and conditions contained in the bond to which it is annexed, and if said bond shall be called for payment before maturity hereof, then this coupon shall be void.

CITY OF KENT, WASHINGTON

By ________________

ATTEST:

_________________________

CITY CLERK

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3. The City Treasurer shall keep in his office a register of all such bonds in which he shall enter the local improvement district for which the same are issued and the date, amount and number of each bond and the term of payment.

Section 5. Ordinances 60, 267, 282, 543, 553, 555, 556, 561, 607, 608, 1617, and 1866 of the City of Kent are hereby repealed.

Section 6. This Ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication as provided by law.

ISABEL HOGAN, MAYOR

ATTEST:

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

DONALD E. MIRK, CITY ATTORNEY

PASSED the 19 day of July, 1976.
APPROVED the 20 day of July, 1976.
PUBLISHED the 22 day of July, 1976.

I hereby certify that this is a true copy of Ordinance No. 1979, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

MARIE JENSEN, CITY CLERK

(SEAL)