Ordinance No. 2665

(Amending or Repealing Ordinances)

CFN=738 – Midway Landfill Site/Solid Waste
Passed 10/20/1986
Amending KCC 7.03.010 (Ordinance 2547) to remove the System for Garbage and Refuse Collection and Disposal from the city of Kent system of sewerage

Amended by Ord. 4032 (Sec. 7.06.010)
CITY OF KENT, WASHINGTON

ORDINANCE NO. 2665

AN ORDINANCE of the City of Kent, Washington, relating to utilities; amending KCC 7.03.010 (Ordinance 2547) to remove the System for Garbage and Refuse Collection and Disposal from the City of Kent system of sewerage.

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

Section 1. Recitals.

1.1 The City of Kent has maintained and operated a system of sewerage pursuant to chapter 35.67 RCW, consisting of a sanitary sewage collection and disposal system, a storm and surface water utility, and a system and plant for garbage and refuse collection and disposal.

1.2 The City intends to issue and sell $4,600,000 principal amount of Sewerage Revenue Bonds, 1986, for the purpose of providing a part of the funds to carry out a system or plan of additions to and betterments and extensions of the storm and surface water utility, by adopting an ordinance, entitled:

AN ORDINANCE of the City of Kent, Washington, relating to the storm and surface water utility of the City; amending Ordinance No. 2559; providing for the issuance of $4,600,000 principal amount of Sewerage System Revenue Bonds, 1986, of the City for the purpose of providing a part of the funds to carry out a system or plan of additions to and betterments and extensions of that storm and surface water utility as adopted by Ordinance No. 2559, as amended; fixing the date, form, maturities, interest rates, terms and covenants of such bonds; creating a bond retirement fund and related accounts therein; and approving the sale and providing for the delivery of such bonds to Shearson Lehman Brothers Inc., Foster & Marshall Division, of Seattle, Washington.

1.3 Prior to adoption of the ordinance referenced in Section 1.2 above, the City intends to remove the system and plant for garbage and refuse collection and disposal ("solid waste utility") from the system of sewerage by the amendment of KCC 7.03.100, provided for herein.

Section 2. KCC 7.03.010 (Section 2, Ordinance 2547) is hereby amended to read as follows:

COMBINED UTILITY

7.03.010. The City is maintaining and operating a sanitary sewage collection and disposal system (Chapter
7.05 KCC, and a storm and surface water utility (Chapter 7.20 KCC) (and a system and plant for garbage and refuse collection and disposal (Chapter 7.08 KCC)) pursuant to the provisions of Sections (35.21.120,)) 35.67.020, 35.92.020 and 35A.80.010 of the Revised Code of Washington. Pursuant to the provisions of RCW 35.67.020 the present sanitary sewage collection and disposal system of the City, and the present storm and surface water utility, (and the present system and plant for garbage and refuse collection and disposal,) together with all additions, extensions and betterments thereof at any time made, are hereby combined into a single utility, provided the accounting procedure for each system shall be kept separate as required by RCW 35.37.010. The combined sanitary sewage collection and disposal system of the City, and the storm and surface water utility, (and the system and plant for garbage and refuse collection and disposal,) together with all additions, extensions and betterments thereof at any time made, shall hereinafter be called "system of sewerage."

Section 3. The existing system and plant for garbage and refuse collection and disposal shall be maintained, consistent with Chapter 7.08 Kent City Code, until such time as the City otherwise provides by ordinance. In recognition of the timing of the actions taken in this Ordinance, the Finance Department shall continue to maintain the separate account for the system and plant for garbage and refuse collection and disposal until such time as a separate fund is established by ordinance.

Section 4. Pursuant to RCW 35.67.020, the City of Kent may and reserves the right to combine a City of Kent system and plant for garbage and refuse collection and disposal into the system of sewerage.

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

DAN KELLEHER, MAYOR

ATTEST:

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

BILL WILLIAMSON,
ACTING CITY ATTORNEY

I hereby certify that this is a true and correct copy of Ordinance No. 2685, 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

2685k