

**CITY OF WHITE SALMON  
ORDINANCE NO. 2023-01-1121**

**AN ORDINANCE OF THE CITY OF WHITE SALMON, WA, ASSUMING THE  
RIGHTS, POWERS, FUNCTIONS AND OBLIGATIONS OF THE WHITE SALMON  
TRANSPORTATION BENEFIT DISTRICT PURSUANT TO RCW 36.74**

WHEREAS, the City Council of the City of White Salmon has the adopted Ordinance No. 2022-12-1119 creating the White Salmon Transportation Benefit District with the same boundaries as the City limits; and

WHEREAS, the RCW 36.74 provides “any city or county in which a transportation benefit district has been established pursuant to chapter 36.73 RCW with boundaries coterminous with the boundaries of the city or county may by ordinance or resolution of the city or county legislative authority assume the rights, powers, functions, and obligations of the transportation benefit district in accordance with this chapter; and

WHEREAS, the City Council of the City of White Salmon adopted Resolution 2023-01-554 indicating the intention of the city to conduct a hearing concerning the assumption of the rights, powers, functions and obligations of the White Salmon Transportation Benefit District; and

WHEREAS, the City Council of the City of White Salmon held a public hearing concerning the assumption of the rights, powers, functions and obligations of the White Salmon Transportation District on January 18, 2023; and

WHEREAS, after the public hearing, the City Council voted to assume the rights, powers, functions and obligations of the White Salmon Transportation Benefit District;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF WHITE SALMON DO ORDAIN AS FOLLOWS:

Section 1. Findings. The City Council makes the following findings to support the actions described herein:

**A. Background**

1. Chapter 36.74 RCW provides the authority to take over and assume rights, powers, functions and obligations of the White Salmon Transportation Benefit District.
2. This action will simplify the administration and of the funds collected for streets for greater efficiency of government.

3. The White Salmon Transportation Benefit District has not yet collected any funds, does not have any contracts, had not committed to any projects and has not spent any funds, which simplifies the transfer of authority.
4. The White Salmon Transportation Benefit District as yet does not have any assets, simplifying the transfer of authority.

Section 2. Assumption of the White Salmon Transportation Benefit District. The City hereby assumes all rights, powers, functions, and obligations of the White Salmon Transportation Benefit District and by this action the White Salmon Transportation Benefit District will cease to exist as a separate entity.

Section 3. Severability. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause, or phrase of this ordinance.

Section 4. Effective Date. This ordinance shall take effect five (5) days after passage and publication of an approved summary consisting of the title.

PASSED in regular session this 18<sup>th</sup> day of January, 2023.

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Marla Keethler, Mayor

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Stephanie Porter, Clerk/Treasurer

Approved as to form:

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Kenneth B. Woodrich, City Attorney