

**CITY OF WHITE SALMON
ORDINANCE NO. 2013-12-933**

**AN ORDINANCE OF THE CITY OF WHITE SALMON REPEALING WSMC
CHAPTER 8.08 GARBAGE COLLECTION AND DISPOSAL AND PROVIDING
FOR SEVERABILITY AND AN EFFECTIVE DATE**

WHEREAS, the City believes it may be more efficient and economical to decline to exercise its authority under RCW 81.77.020 to operate a solid waste utility and allow the holder of a valid certificate from the Washington Utilities and Transportation Commission to assume jurisdiction of the incorporated area; and

WHEREAS, the City of White Salmon has previously provided refuse collection services to the residents of the City and intends to eliminate this service in favor of allowing service by the WUTC certificate holder, and to therefore repeal Chapter 8.08 GARBAGE COLLECTION AND DISPOSAL; and

WHEREAS, following transfer of operations to the authorized solid waste certificate holder, the fund established for this purpose no longer serves a purpose and the fund and all assets of the system shall be surplused and distributed to the General Fund as provided by law; and

WHEREAS, the for health and safety reasons, the City intends to retain the requirement that each resident maintain regular garbage service within the city, but shall implement these requirements as part of its Nuisance Code, WSMC Chapter 8.07.

NOW, THEREFORE, the City Council of the City of White Salmon does hereby ordain as follows:

Section 1: Chapter 8.08, GARBAGE COLLECTION AND DISPOSAL, is hereby repealed in its entirety;

Section 2: Decline Authority under RCW 81.77.020.

The City Council hereby revokes its exercise of authority to operate a solid waste utility and shall allow the holder of a valid certificate from the Washington Utilities and Transportation Commission to assume jurisdiction of the incorporated area for garbage collection and disposal.

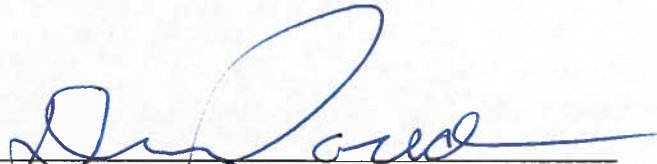
Section 3: Surplus of Assets of System.

Following discontinuation of service and transfer of operations to the authorized solid waste certificate holder, the City shall surplus and liquidate assets of the department and distribute its proceeds to the General Fund as provided by law.

Section 4: Severability: If any section, sentence, or phrase of this Chapter is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence or phrase of this Chapter.

Section 5: Effective Date: This ordinance shall take effect on February 28, 2014.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITE SALMON, WASHINGTON, THIS 2nd DAY OF JANUARY, 2014.




David Poucher, Mayor

ATTEST:



Leana Johnson, Clerk Treasurer

APPROVED AS TO FORM:



Kenneth B. Woodrich, City Attorney