

2218 Not yet passed

ORDINANCE NO. 2219

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO GARBAGE AND RUBBISH COLLECTION AND DECLARING TERMINATION OF PRE-EXISTING PUBLIC SERVICE FRANCHISE AND PERMIT RIGHTS AS OF THE FIFTH ANNIVERSARY OF ANNEXATION OR CONSOLIDATION AS TO AREAS ANNEXED TO OR CONSOLIDATED WITH THE CITY OF KIRKLAND

WHEREAS, RCW 35.13.280 and RCW 35A.14.900 and Kirkland Ordinance No. 2038 each provide that a public service franchise or permit including garbage collection issued by the State of Washington shall be cancelled as of the effective date of annexation or consolidation of an area to the City of Kirkland, provided that the right to serve said area by such franchise or permit holder shall continue for a period of not less than five years, and

WHEREAS, pursuant to Ordinance No. 2038 of the City of Kirkland, the City of Kirkland operates its own garbage collection utility and contracts for the collection and disposal of garbage and refuse within the City of Kirkland, and

WHEREAS, said Kirkland city ordinance and the contract of the city with its garbage collector both require the said garbage collector to serve the entire city, except for those areas subject to the provisions of RCW 35.13.280 and RCW 35A.14.900,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. All rights or privileges to operate under or exercise any franchise, permit or other right heretofore held by Eastside Disposal Company pursuant to Public Service Permit No. G-70 issued by the State of Washington, or any other person or corporation holding similar public service franchise issued by the State of Washington to operate garbage collection and disposal service within areas annexed to or consolidated with the City of Kirkland shall terminate absolutely as of the effective date of this ordinance or the expiration of five years from the effective date of such annexation or consolidation, whichever shall last occur.

Section 2. The City Manager is authorized and directed to deliver to the public service franchise or permit holders named or referred to in Section 1 above a certified copy of this ordinance, together with a schedule of annexations to and consolidations with the City of Kirkland, including a map or other identification of the areas so annexed or consolidated.

Section 3. This ordinance shall be in force and take effect five days from and after its passage by the Council and publication as required by law.

PASSED by the Kirkland City Council in regular meeting on the 7th day of May, 1973.

SIGNED in authentication thereof on the 7th day of May, 1973.

William C. Woods
Mayor

Attest:

J. A. Johnson
Director of Administration and Finance
(ex officio City Clerk)

Approved as to form:

Ray E. [Signature]
City Attorney