

ORDINANCE NO. 13-998

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON, RELATING TO THE GENERAL SEWER PLAN; AMENDING SECTION 13.16.010; ADOPTING A NEW GENERAL SEWER PLAN; REPLACING AND SUPERSEDING THE EXISTING GENERAL SEWER PLAN, ; PROVIDING FOR SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City of Black Diamond owns and operates a wastewater collection system within the State of Washington; and

WHEREAS, in May 1981 the City adopted a Comprehensive General Sewer Plan for the planning and construction of the wastewater collection system which plan was adopted by the City Council pursuant to City Ordinance No. 245; and

WHEREAS, City staff has prepared and completed the proposed 2012 General Sewer Plan in conformance with the requirements of the preparation of general sewer plans as outlined in WAC 173-240-050; and

WHEREAS, City staff has addressed and answered comments, coordinated review from the Washington State Department of Ecology, King County Department of Natural Resources, King County Utilities Technical Review Committee, and Soos Creek Water & Sewer District; and

WHEREAS, the City staff, the Public Works Committee of the Council, the public and the full Council has had opportunity to review, provide comment, and/or provide input into the development of the proposed General Sewer Plan; and

WHEREAS, a formal public hearing was held by the Council on November 15, 2012; and

WHEREAS, the Washington State Department of Ecology has approved the proposed General Sewer Plan on December 27, 2012; and

WHEREAS, the King County Utilities Technical Review Committee has recommended approval of the proposed General Sewer Plan to the King County Department of Natural Resources and Parks; and

WHEREAS, the King County Department of Natural Resources and Parks has approved the General Sewer Plan on December 19, 2012; and

WHEREAS, it is in the best interest of the public health, safety and welfare to adopt the

proposed General Sewer Plan which General Sewer Plan upon adoption shall replace and supersede the current General Sewer Plan;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 13.16 of the Black Diamond Municipal Code is amended to read as follows:

13.16 General Sewer Plan Adopted

Section 2. Section 13.16.010 of the Black Diamond Municipal Code is amended to read as follows:

13.16.010 – Adopted.

The City of Black Diamond General Sewer Plan dated December 2012 and on file with the office of the City Clerk is hereby adopted by this reference and incorporated as though fully set forth herein. The General Sewer Plan as adopted herein, replaces and supersedes the general sewer plan previously adopted by the City Council pursuant to Ordinance No. 245.

Section 3. Severability. Each and every provision of this Ordinance shall be deemed severable. In the event that any portion of this Ordinance is determined by final order of a court of competent jurisdiction to be void or unenforceable, such determination shall not affect the validity of the remaining provisions thereof, provided the intent of this Ordinance can still be furthered without the invalid provision.

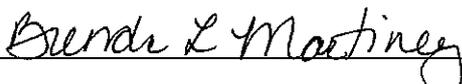
Section 4. Effective date. This Ordinance shall be in full force and effect five (5) days after publication as required by law. A summary of this Ordinance may be published in lieu of the entire Ordinance, as authorized by state law.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 21ST DAY OF FEBRUARY, 2013.



Mayor Rebecca Olness

ATTEST:



Brenda L. Martinez, City Clerk

APPROVED AS TO FORM:

Chris Bacha,
Kenyon Disend, PLLC
City Attorney

Published: 3/1/13
Posted: 2/22/13
Effective Date: 3/6/13