

ORDINANCE NO. 57

AN ORDINANCE OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, ESTABLISHING A STORM DRAINAGE AND SURFACE WATER MANAGEMENT UTILITY WITHIN THE BOUNDARIES OF THE CITY OF UNIVERSITY PLACE PROVIDING FOR AUTHORITY AND CONTROL THEREOF AND SETTING FEES AND DIRECTING THE PREPARATION OF A INTERLOCAL AGREEMENT WITH PIERCE COUNTY PROVIDING FOR THE TRANSFER OF THE FUNDS AND ASSETS PERTAINING THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, the City of University Place will become incorporated on August 31, 1995; and

WHEREAS, pursuant to RCW 85.06.230 a City may exercise the functions of a drainage district; and

WHEREAS, it is the desire of the City of University Place to provide for the future control and operation of storm drainage and surface water management within the City boundaries of the City of University Place, and

WHEREAS, this is necessary in order to provide for the protection, safety, and welfare of its citizens; now, therefore,

THE CITY OF UNIVERSITY PLACE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. The City of University Place hereby establishes a storm drainage and surface water management utility to provide for the future operation and control of storm drainage and surface water management within the city and hereby exercises jurisdiction and control thereof.

Section 2 The City of University Place hereby adopts a surface water management fund and adopts the existing rates which are presently imposed by Pierce County for fees for storm drainage and surface water management and hereby exercises the authority to receive all those fees relating to the operation of said storm drainage and surface water management utility which are due or are being collected or are to be collected.

Section 3. The City of University Place hereby elects to exercise all lawful powers and authority for the construction, acquisition, and condemnation of property rights, maintenance, management, operations and regulation of storm drainage and

surface water runoff systems including, without limitation, all lawful powers to fix, alter, regulate, and control the charges and conditions of the use thereof.

Section 4. The City does not assume responsibility or control over past actions for loss or damages which have occurred and which may occur as a result of the operation of the existing storm drainage and surface water management system by the City of Tacoma and Pierce County and disclaims any responsibility therefor


Section 5. The City Manager is hereby directed and authorized to develop an interlocal agreement with Pierce County and the City of Tacoma for the transfer of all assets pertaining to said storm water utility now lying with the City of University Place or those which are necessarily part of the system, or alternatively, to develop an interlocal agreement for the mutual operation and support of the storm drainage and surface water management utility by the City of University Place and Pierce County lying within the drainage basins.

Section 6. The City Manager is hereby directed and authorized to collect the storm drainage and surface water management fees imposed hereunder in an orderly manner, by an agreement with Pierce County or the Pierce County Assessor.

Section 7. The City Manager is hereby directed to present to the City Council for their final approval the agreements for the continued operation of the storm drainage and surface water management utility within the City of University Place and for the collection of the fees thereof.

Section 8. This ordinance, passed by a majority plus one of the whole membership of the City Council as a public emergency ordinance necessary for the protection of the public health, public safety, public property, or public peace, shall be effective on the official date of incorporation.

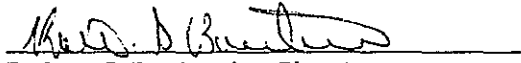
PASSED BY THE CITY COUNCIL ON AUGUST 28, 1995.


Stanley L. K. Flemming, Mayor

ATTEST:


Susan Matthew, Interim City Clerk

APPROVED AS TO FORM:



Robert J. Backstein, City Attorney

Date of Publication: August 31, 1995

Effective Date: August 31, 1995