

Substitute  
December 11, 1995

Introduced by: RON SIMS  
GREG NICKELS

BT:ts

Proposed No.: 96-66

ORDINANCE NO.

**12150**

AN ORDINANCE extending water system franchise No. 319 for Water District 45 until July 31, 1997, and authorizing the issuance of right-of-way construction permits in Council Districts No. 5 and 8.

STATEMENT OF FACTS

1. Water District 45's Franchise No. 319, to operate and maintain a water system on County road right-of-way, has expired.

2. The District filed an application for a water franchise in Council Districts No. 5 and 8 on October 5, 1995 to construct, operate, and maintain their existing water system to serve single family residential and multi-family areas, with pockets of commercial areas.

3. King County Code Chapter 6.27 requires that the utility franchise application be approved by the Utilities Technical Review Committee (UTRC) and be consistent with the County's comprehensive plan, Seattle-King County health department and the State department of health regulations.

4. The District is in the process of preparing and obtaining approval of its water comprehensive plan to bring it in compliance with the state and county regulations. The District anticipates that this process will take a year to complete.

5. In order to provide the District with the time needed to complete its water plan and to allow the District to continue to operate and maintain the existing water system on county roads right-of-way, the District has requested that Franchise No. 319 be extended.

6. The extension for Water Franchise No. 319 has been referred to the relevant County departments for review.

7. The County executive has recommended approval of the water franchise extension.

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BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Notwithstanding any provision of K.C.C. Chapter 13.24 to the contrary, the King County executive is hereby authorized to grant an extension of Water Franchise No. 319 for Water District 45 until July 31, 1997, in substantially the same form as Attachment "A". Notwithstanding any provision of K.C.C. Chapter 14.44 to the contrary, the executive is also authorized to issue right-of-way construction permits consistent with the terms of the extended franchise.

INTRODUCED AND READ for the first time this 16<sup>th</sup> day of January, 1995.

PASSED by a vote of 9 to 0 this 12<sup>th</sup> day of February, 1995.

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

[Signature]  
Chair

ATTEST:

[Signature]  
Clerk of the Council

APPROVED this 21<sup>st</sup> day of February, 1996.

[Signature]  
King County Executive

Attachments:  
A. Extension Agreement

FRANCHISE EXTENSION AGREEMENT

RECITALS

WHEREAS, Water District 45 currently holds water franchise number 319 granted by King County, Washington for the operation of its water system in unincorporated King County; and

WHEREAS, the referenced Water District 45 franchise has expired; and

WHEREAS, Water District 45 has requested a renewal of said franchise; and

WHEREAS, Water District 45 and King County, Utilities Technical Review Committee recommend that said franchise be extended until July 31, 1997 to give the District the opportunity to complete and obtain approval of its water comprehensive plan and franchise; and

WHEREAS, no objections have been raised to the granting of the request; and

WHEREAS, King County has approved the extension of this franchise until July 31, 1997 through the passage of Ordinance No. \_\_\_\_\_ subject to the conditions contained in the ordinance and agreement.

NOW, THEREFORE, King County, Washington and Water District 45, agree as follows:

1. The terms of King County Water Franchise Number 319 are hereby approved and extended so that they will now expire on July 31, 1997.
2. All other conditions of King County Water Franchise Number 319 shall remain in full force and effect and are not modified or amended by this agreement or Ordinance No. \_\_\_\_\_.

THIS AGREEMENT entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1995.

WATER DISTRICT 45  
A Washington State Corporation

KING COUNTY, WASHINGTON

BY: \_\_\_\_\_

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

Pearl McElheran, Acting Director  
Department of Construction & Facilities  
Management

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_