

CITY OF BLACK DIAMOND, WASHINGTON

ORDINANCE NO. 06-814

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON, REGARDING CONTINUING THE IMPOSITION OF A MONTHLY SURCHARGE ON EACH USER OF WATER IN THE CITY FOR THE PURPOSE OF FINANCING IMPROVEMENTS TO THE CITY WATER SUPPLY AND AMENDING SECTION 3 OF ORDINANCE 286 ACCORDINGLY

WHEREAS, the City adopted Ordinance No. 286 on October 26, 1983 for the purposes of imposing a monthly surcharge on each user of water in the City for the purpose of financing safety improvements for the existing city water reservoir and engineering studies, site acquisition, construction and related work necessary for construction of a new water reservoir for the City;

WHEREAS, the City Council finds it to be in the best interests of the public health, welfare and safety to continue the monthly surcharge approved in Ordinance No. 286;

WHEREAS, there continues to be a need to upgrade the City's water system and thus the monthly surcharge should be continued until such time as all City water system improvements are completed; now, therefore

THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. The monthly surcharge on each user of water in the City imposed by Ordinance No. 286 is hereby continued until such time as the City determines that all necessary City water system improvements are completed.

Section 2. Section 3 of Ordinance 286 is hereby amended to read as follows:


Section 3. Disposition of Revenue – Water System Capital Improvements Account Created. All revenues received by the City from the imposition of the surcharge imposed by Section of this Ordinance shall be segregated by the City Treasurer from other water system revenues and deposited in a separate account within the Water Fund. Said revenues shall be used to finance system upgrades to the existing City water reservoirs, springs water source, and other improvements of benefit to the general public and rate payer, engineering studies related to such improvements

and acquisition of additional water capacity. The funds so deposited may be used by the City to pay indebtedness incurred by the City in connection with the above listed improvements. In the event that the City shall establish a fund in the future for the payment of bonds issued in connection with the above improvements or any loans to pay for the improvements, all revenue accumulated from the imposition of the surcharge imposed by this ordinance may be transferred into the bond and/or loan fund and all revenues subsequently collected from the surcharge may be paid directly into such fund.

Section 3. Severability. If any provision of this Ordinance is determined to be invalid or unenforceable for any reason, the remaining provisions of this Ordinance shall remain in force and effect.

Section 4. Effective Date. This Ordinance shall be in full force and effect five (5) days from and after its passage, approval, posting and publication as provided by law. A summary of this ordinance may be published in lieu of publishing the Ordinance in its entirety.

Introduced the 15 day of June, 2006. Passed by the majority of the City Council at a meeting held on the 15 day of June, 2006.



Mayor Howard Botts

Attest:


Cris Kandior, City Clerk

APPROVED AS TO FORM:

Loren Combs, City Attorney

Published: _____

Posted: _____

Effective Date: _____

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