

**ORDINANCE NO. 08-873**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY WASHINGTON ADDING A NEW CHAPTER 3.60 TO THE BLACK DIAMOND MUNICIPAL CODE, AUTHORIZING THE ADOPTION OF A MULTI-YEAR CAPITAL IMPROVEMENTS PLAN

WHEREAS, acquiring, constructing, maintaining, renovating, and replacing land, equipment, buildings and other infrastructure often requires large sums of money; and

WHEREAS, the sums of money required to acquire, construct, maintain, renovate, and replace land, equipment, buildings and other infrastructure is often more than is available in any one budget cycle; and

WHEREAS, creating a program to plan for future capital costs can help the City to maximize its resources and avoid budget shortfalls when large capital expenditures are required; and

WHEREAS, adopting a capital improvements plan of the type described in this ordinance is necessary for the City to qualify for certain funding sources;

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

Section 1. New chapter (“Capital Improvements Plan.”). A new Chapter 3.60 is hereby added to the Black Diamond Municipal Code, which shall read as follows:

**Chapter 3.60 Capital Improvements Plan**

**Sections:**

**3.60.010 Definitions**

**3.60.020 Capital Improvements Plan Authorized**

Section 2. New chapter (“Definitions”). A new chapter 3.60.010 is hereby added to the Black Diamond Municipal Code, which shall read as follows:

**3.60.010 Definitions**

*“Capital improvements.”* For the purpose of this chapter and any plan adopted under authority of this chapter, capital improvements shall mean the creation or acquisition of any tangible asset, including but not limited to buildings, streets, water and sewer systems, items of equipment, and parks and other real property, or the major maintenance, repair, or betterment of any tangible asset, including but not limited to city buildings, streets, water and sewer systems, items of equipment, and parks and other real property owned or controlled by the city.

*“Capital improvements plan.”* For the purpose of this chapter, capital improvements plan shall mean a multi-year plan, updated annually, that contains the city’s capital improvement projects and the recommended methods of funding these projects.

Section 3. New chapter (“Capital improvements plan authorized”). A new chapter 3.60.020 is hereby added to the Black Diamond Municipal Code, which shall read as follows:

**3.60.020 Capital improvements plan authorized.**

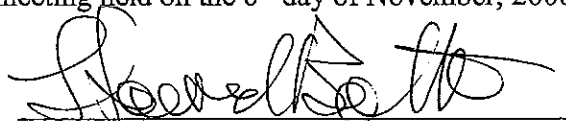
The city shall develop and adopt a multi-year capital improvements plan. This capital improvements plan shall effectuate the goals expressed in the capital improvements section of the city’s Comprehensive Plan. Any capital improvements plan adopted by the city may authorize expenditures to be made during the same budget year in which the plan is adopted. The capital improvements plan shall be adopted following a public hearing and opportunity to comment by the public.

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 days 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 6th day of November, 2008.

Passed by a majority of the City Council at a meeting held on the 6<sup>th</sup> day of November, 2008.

  
Howard Botts, Mayor

Attest:

  
Brenda L. Streepy, City Clerk

APPROVED AS TO FORM:

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Loren D. Combs, City Attorney

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