

ORDINANCE 1740

AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, REPEALING NORTH BEND ORDINANCE NO. 1728; ADOPTING THE DECEMBER 2020 WATER SYSTEM PLAN; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, Washington Administrative Code 246-290 requires Class A water system managers to prepare every 10 years a Water System Plan (Plan) for the water system; and

WHEREAS, the City of North Bend is a manager of a Class A water system, and prepared a Plan in accordance with WAC 246-290; and

WHEREAS, the Plan was routed to all interested parties for comment; and

WHEREAS, the City held a Town Hall meeting about the Plan on May 26, 2020, as well as two Public Hearings on the Plan on June 16, 2020 and August 4, 2020, and an additional Town Hall meeting on February 2, 2021, as prescribed in WAC 246-290-100; and

WHEREAS, on August 4, 2020, the City adopted in Ordinance No. 1728 the July 2020 Water System Plan prepared by Gray & Osborne, Inc.; and

WHEREAS, subsequent to the adoption of Ordinance No. 1728, the City revised the July 2020 Water System Plan to include an addition to its retail water service area. The revised Plan is known as the December 2020 Water System Plan, which has received a recommendation for approval from the King County Utilities Technical Review Committee and has been approved by the King County Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Repealer: Ordinance No. 1728 is hereby repealed in its entirety.

Section 2. December 2020 Water System Plan, Adopted: The December 2020 Water System Plan, as prepared by Gray & Osborne, Inc. (G&O #19473), is hereby adopted, subject to approval by the Washington State Department of Health. Pursuant to RCW 35A.12.140, a copy of the December 2020 Water System Plan shall be filed in the office of the City Clerk for use and examination by the public and is also available on the City's website.

Section 3. Severability: Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 4. Effective Date: This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 2ND DAY OF FEBRUARY, 2021.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Rob McFarland, Mayor

Michael R. Kenyon, City Attorney

ATTEST/AUTHENTICATED:

Published: February 12, 2021
Effective: February 17, 2021

Susie Oppedal, City Clerk