

ORDINANCE NO. 201

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, GRANTING A FRANCHISE TO ALLIED WASTE INDUSTRIES, INC., AKA RABANCO COMPANIES TO OPERATE IN CERTAIN ANNEXED AREAS, IN ACCORDANCE WITH RCW 35A.14.900

WHEREAS, the City of Shoreline ("City"), by Shoreline City Ordinance No. 198, annexed to the City as of August 1, 1999 certain property described therein ("Annexed Areas"); and

WHEREAS, RCW 35A.14.900 contains certain requirements with respect to granting franchises to public service businesses that have operated in areas that are annexed to cities; and

WHEREAS, Allied Waste Industries, Inc., a Delaware corporation operating through its subsidiary, the Rabanco Companies ("Rabanco") has operated a municipal solid waste collection business in the Annexed Areas pursuant to a certificate of necessity and convenience (G-Certificate) issued by the Washington Utilities and Transportation Commission ("WUTC");

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, DO ORDAIN AS FOLLOWS:

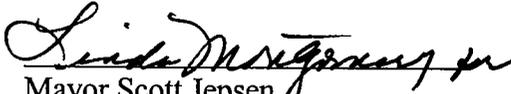
Section 1. WUTC Regulation Canceled. The City hereby assumes jurisdiction over solid waste collection in the Annexed Areas. The publication of this ordinance shall constitute the City's notification to the WUTC under RCW 35A.14.900.

Section 2. Franchise Granted. In satisfaction of the City's obligations under applicable law, including without limitation, RCW 35A.14.900, the City hereby grants to Rabanco a franchise to collect solid waste in the Annexed Areas subject to the terms and conditions of its WUTC G-Certificate commencing on the date that this ordinance takes effect. Upon the execution of a contract between the City and Rabanco, the franchise granted hereunder shall continue on the terms and conditions set forth in such contract, including such rates as may be provided in the contract. Rabanco's collection of solid waste in the Annexed Areas after the effective date of this ordinance shall constitute Rabanco's agreement that the City's obligations under RCW 35A.14.900 have been satisfied.

Section 3. Severability. If any section, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

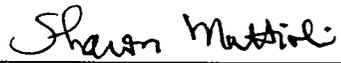
Section 4. Effective Date/Notification. This ordinance shall take effect and be in full force on August 1, 1999, and shall terminate on July 31, 2006 if not cancelled by agreement or operation of law prior thereto. The City Clerk is hereby directed to publish this ordinance in full and to mail a copy of the Ordinance to the WUTC.

PASSED BY THE CITY COUNCIL ON JULY 19, 1999


Mayor Scott Jepsen

ATTEST:

APPROVED AS TO FORM:



Sharon Mattioli, CMC
City Clerk



Ian Sievers
City Attorney

Date of Publication: July 22, 1999
Effective Date: August 1, 1999

