

1 FILE NO. 42

PROPOSAL NO. 2004-62

2 Sponsored by: Councilmember Shawn Bunney

3 Requested by: County Executive/Public Works and Utilities Dept.

5 **ORDINANCE NO. 2004-62**

7 **AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE**
8 **DISSOLUTION OF DRAINAGE DISTRICT NO. 11, PURSUANT TO**
9 **REVISED CODE OF WASHINGTON 85.38.225, LOCATED IN A**
10 **PORTION OF THE CITY OF SUMNER AND UNINCORPORATED**
11 **PIERCE COUNTY.**

13 WHEREAS, Revised Code of Washington (RCW) 85.38.225 provides
14 that a drainage district located within the boundaries of a county
15 storm drainage and surface water management utility, and which is
16 not currently imposing assessments, may be dissolved by Ordinance
17 of the County legislative authority; and

19 WHEREAS, A small portion of Drainage District No. 11 is
20 located within the County storm drainage boundaries. See Exhibit
21 "A" - (MAP) herein attached and incorporated by this reference; and

23 WHEREAS, On November 4, 2003, the Drainage District No. 11
24 Commissioners notified the Pierce County Assessor-Treasurer that
25 they will not make any assessment for 2004; and

OCT 19 2004

1 WHEREAS, The Drainage District No. 11 has no debts or assets,
2 facilities, or property rights located within the County storm
3 drainage system that need to be assumed or managed by the County;
4 and

5
6 WHEREAS, RCW 85.35.213 permits a special district to withdraw
7 an area from its boundaries that is located within the boundaries
8 of a city or town; and

9
10 WHEREAS, Drainage District No. 11 passed a resolution on
11 May 4, 2004, withdrawing its service boundaries within the City of
12 Sumner and requesting the City of Sumner to continue maintaining,
13 repairing and improving the facilities of the drainage district;
14 and

15
16 WHEREAS, The City of Sumner passed a resolution on
17 February 17, 2004, authorizing the withdrawal of Drainage District
18 No. 11 boundaries within the areas of the City of Sumner; and the
19 assumption by the City of the maintenance, operation, repair, and
20 the collection of account receivables of the Drainage District No.
21 11 storm drainage system; and

22
23 WHEREAS, The Drainage District No. 11 has granted to the City
24 of Sumner all of its facilities, improvements, easements, or
25 rights-of-way used for the District's drainage pipes; and

26
27

1 WHEREAS, On March 9, 2004, the Drainage District No. 11 and
2 the City of Sumner signed an interlocal agreement addressing
3 assessments, transfers of property, and the ongoing maintenance of
4 existing water run-off; NOW, THEREFORE,

5
6 BE IT ORDAINED by the Council of Pierce County:

7
8 Section 1. That Drainage District No. 11 is hereby dissolved
9 by the Pierce County Council pursuant to RCW 85.38.225.

10
11 PASSED this 28th day of September, 2004.

12
13 ATTEST:

PIERCE COUNTY COUNCIL
PIERCE COUNTY, Washington

14
15 Denise D. Johnson
Denise D. Johnson
16 Clerk of the Council

14
15 Harold Moss (pr)
Councilmember Harold Moss
16 Council Chair

17
18 PIERCE COUNTY EXECUTIVE

19
20 John W. Ladenburg
John W. Ladenburg
21 Approved Vetoed
this 4 day of Oct,
2004.

22 Date of Publication of
23 Notice of Public Hearing: September 8, 2004
24 Effective Date of Ordinance: October 14, 2004
25
26
27

Exhibit "A" to Ordinance No. 2004-62

