

**CITY OF WHITE SALMON
ORDINANCE NO. 2009-05-835**

AN ORDINANCE OF THE CITY OF WHITE SALMON, WA, ADDING A NEW SECTION 13.16.090 ALLOWING WATER PURCHASES FROM THE CITY OF BINGEN AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City has an ordinance relating to water connections adopted prior to the imposition of the current Washington State Department of Health (“DOH”) imposed water connection restrictions; and

WHEREAS, the City recognizes that the local and national economy is in a recession, and job creation and retention in the City is an important consideration in prioritizing water connections; and

WHEREAS, the City of Bingen has express a willingness to sell water to service properties in the City of White Salmon along State Highway 14, to allow new commercial and/or industrial development in that area; and

WHEREAS, the City held a public hearing on May 6, 2009 to discuss amendments to WSMC 13.16.010, WSMC 13.16.020, WSMC 13.16.025 and WSMC 13.16.055;

NOW THEREFORE, the City Council of the City of White Salmon deems it to be in the best interest of the City that the City provide for a system of allocation of available water connections that is fair and will provide an immediate economic benefit, and that connection rates be adjusted to reflect current cost estimates;

THE CITY COUNCIL OF THE CITY OF WHITE SALMON DO ORDAIN AS FOLLOWS: by the City Council of the City of White Salmon that the following amendments be made to White Salmon Municipal Code Chapter 13.16:

SECTION 1 Adding new section WSMC 13.16.090:

13.16.090 Authorizing water purchases from City of Bingen. The Cities of White Salmon and Bingen may enter into an Interlocal Agreement for the City of White Salmon to purchase water and/or obtain water rights from the City of Bingen under terms and conditions to be approved by Council.

SECTION 2 - SEVERABILITY. If any section, sentence, or phrase of this Chapter 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 or phrase of this Chapter.

EFFECTIVE DATE. This ordinance shall become effective following passage and publication as provided by law.

PASSED in regular session this 20th day of May, 2009.

David Poucher, Mayor

Lori Kreps, Clerk/Treasurer

Approved as to form:

Kenneth B. Woodrich, City Attorney