

ORDINANCE NO. 774-09

CITY OF GRANITE FALLS

**AN ORDINANCE OF THE CITY OF GRANITE FALLS, WASHINGTON,
AMENDING ORDINANCE NO. 764-08 § 1 AND TITLE 12 OF THE GRANITE
FALLS MUNICIPAL CODE TO ADD A NEW SECTION 12.05.045 RELATING TO
RIGHT-OF-WAY MAINTENANCE AND PROVIDING FOR REASONABLE
CONDITIONS UNDER WHICH THE CITY OF GRANITE FALLS MAY
PERFORM MAINTENANCE WITHIN A PUBLIC RIGHT-OF-WAY OUTSIDE
THE CITY OF GRANITE FALLS CORPORATE BOUNDARY LIMITS**

WHEREAS, the City of Granite Falls may from time to time determine that it is in the City's best interest to complete maintenance on roadways that are under the jurisdiction of other agencies and that are outside of the City's corporate limits; and

WHEREAS, pursuant to Washington statute RCW 47.28.140 the City of Granite Falls may enter into cooperative agreements with the Washington State Department of Transportation for the maintenance of roadways and improvements adjacent to the roadway; and

WHEREAS, pursuant to Washington statute RCW 47.40 highway beautification improvements are allowed by abutting property owners; and

WHEREAS, the City of Granite Falls entered into an agreement with Snohomish County on February 28, 2007 for the design and construction of an alternate route to divert commercial trucks around the City; and

WHEREAS, a portion of the alternate route is within the City's corporate boundaries and a portion of it is in unincorporated Snohomish County; and

WHEREAS, the design of project calls for landscaping, signage and other amenities to be placed within the planned roundabout within State Route 92 to provide a "gateway" to the City; and

WHEREAS, the landscaping, signage and other amenities will require maintenance that the Washington State Department of Transportation would not ordinarily complete and that the City wishes to complete; and

WHEREAS, the Granite Falls City Council desires to provide for its authority to complete maintenance in public rights-of-way outside the city limits and establish reasonable conditions for the doing so;

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

Section 1: Ordinance No. 764-08 § 1 and Granite Falls Municipal Code Chapter 12.05 are hereby amended to add a new Section 12.05.045 entitled “Right-of-Way Maintenance Outside City Limits” to read as follows:

Title 12

Development Guidelines for Public Works Standards

Sections:

- 12.05.010 Adoption by Reference**
- 12.05.020 Definitions**
- 12.05.030 Minor Revisions Administratively Approved**
- 12.05.040 Copy on File**
- 12.05.045 Right-of-Way Maintenance Outside City Limits**
- 12.05.050 Penalty**

12.05.045 Right-of-Way Maintenance Outside City Limits. The City is authorized, pursuant to RCW 47.28.140, to enter into cooperative agreements for the completion of maintenance within state or county right-of-way(s) located within or outside of City limits. The City may choose to enter into agreements to complete such maintenance without receiving reimbursement for the cost and expense of the work performed, but is not required to enter into agreements. In the absence of any such agreement, the City is not required complete such maintenance.

Section 2. Repealer. All Ordinances or parts of the Ordinances of the city of Granite Falls in conflict herewith, be and the same are hereby repealed.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be 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. Publication and Summary. This Ordinance or summary thereof consisting of the title shall be published in the official newspaper of the City.


Section 5. Effective Date. This Ordinance shall be in full force and effect five (5) days’ after publication of the summary consisting of the title.

Said Ordinance was passed in open session by the City Council of the City of Granite Falls on the 18th day of February, 2009, and signed in authentication of its passage this 18th day of February, 2009.



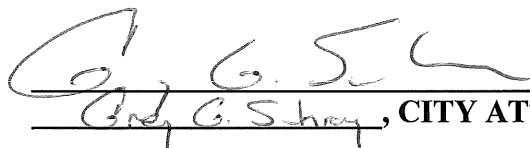
LYLE ROMACK, MAYOR

Attest:



, CITY CLERK

Approved as to form:



Greg G. Schrey, CITY ATTORNEY 2-23-09

DATE OF FIRST AND FINAL READING: February 18, 2009
DATE OF PUBLICATION: February 24, 2009
EFFECTIVE DATE: March 1, 2009