

**ORDINANCE NO. 82
CITY OF LIBERTY LAKE
SPOKANE COUNTY, WASHINGTON**

**AN ORDINANCE ESTABLISHING A TRANSPORTATION BENEFIT DISTRICT
WITHIN THE CITY OF LIBERTY LAKE INCORPORATING BY REFERENCE AND
RATIFYING TRANSPORTATION BENEFIT DISTRICT NO. 9901 FORMED BY
SPOKANE COUNTY AND PROVIDING FOR OTHER MATTERS PROPERLY
RELATED THERETO.**

WHEREAS, the City Council is authorized to establish a Transportation Benefit District for the purpose of acquiring, constructing, improving, providing and funding the development, operation and maintenance of a system of pathways, bikeways and trails for public use in and through the City of Liberty Lake;

WHEREAS, the City Council prior to establishing a Transportation Benefit District shall conduct a hearing upon proper notice which shall describe the functions and purposes of the proposed Transportation Benefit District;

WHEREAS, the City has provided notice of the hearing to establish the Transportation Benefit District by publishing at least once, not less than ten (10) days before the hearing, in the legal newspaper of the City the date of the hearing and the functions and purposes of the proposed district;

WHEREAS, the City Council finds the establishment of the Transportation Benefit District as set forth herein is in the public interest;

WHEREAS, the City desires to incorporate by reference Spokane County Ordinance No. 99 0796 and 99 0795 plus Resolution No. 99 1069 which relate to the Liberty Lake Transportation Benefit District and thereby adopt an ordinance with purposes and functions similar to that previously adopted by Spokane County, as well as, ratify for City purposes the previous action of Spokane County; and

WHEREAS, the City in order to properly develop, manage and operate the Liberty Lake Transportation Benefit District will enter into an Interlocal Cooperation Agreement with the County of Spokane.

NOW, THEREFORE, the City Council of the City of Liberty Lake, Washington, do ordain as follows:

Section 1. **Purpose.** The City Council hereby establishes a Transportation Benefit District pursuant to RCW 35.21.225 to be known as the "Liberty Lake Transportation Benefit District" (hereinafter "District") for the purpose of acquiring, constructing, improving, providing and funding a system of pathways, bikeways, trails and associate facilities in the City of Liberty Lake for the area described on Exhibit "A" which is attached hereto and incorporated herein by this reference. All improvements made by the District which are located within the corporate limits of the City shall be owned and controlled by the City. All improvements shall be administered in the same fashion as the public streets within the City.

Section 2. **Governing Body/Administration.** The City Council of the City of Liberty Lake shall be the governing body of the District, acting independently in ex officio, as prescribed

by RCW 36.73.020. The City Treasurer shall act as the ex officio treasurer of the District with further administrative support provided by the City.

Section 3. Incorporation By Reference/Ratification. In furtherance of the purposes of the District and in order to make the Transportation Benefit District authorized pursuant to this Ordinance consistent with that established by Spokane County, the City hereby incorporates by reference Spokane County Ordinance No. 99 0796 and Resolution Nos. 99 0700, 99 0795, No. 99 1069 and 0 0028 as though fully set forth herein and further ratifies any and all acts taken by Spokane County including the issuance of indebtedness pursuant to the above ordinance and resolutions. While the City of Liberty Lake does not, separately or jointly, assume or guarantee any indebtedness, it is the intent of this ordinance to continue without interruption the development, operation and maintenance of Transportation Benefit District No. 9901 including all previously assumed responsibilities and obligations incurred pursuant to Spokane County Resolution No. 99 0795.

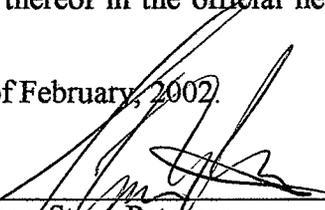
Section 4. Public Benefit. The City finds that the public interest will be served by creation of the District and performing the functions and purposes set forth above. All acts and expenditures by the City on behalf of the District are declared to be a public purpose and necessary in order to accomplish the matters set forth in this Ordinance and RCW Chapter 36.73.

Section 5. Duration. The District shall be automatically dissolved upon the expiration of twenty-five (25) years or the retirement of all indebtedness of the District provided the anticipated responsibilities and purposes of the District have been satisfied.

Section 6. 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 7. Effective Date. This Ordinance shall be in full force and effect five (5) days after publication of this Ordinance or a summary thereof in the official newspaper of the City as provided by law.

PASSED by the City Council this 19 day of February, 2002.



Mayor, Steve Peterson

ATTEST:



City Clerk, Arlene Fisher

APPROVED AS TO FORM:



City Attorney, Stanley M. Schwartz
Date of Publication: 2/28/02
Effective Date: 3/5/02

City of Liberty Lake
Liberty Square Building
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**NOTICE OF ORDINANCE PASSED
BY LIBERTY LAKE CITY COUNCIL**

The following is the title and summary of Ordinance No. 82 passed by the City of Liberty Lake City Council on the 19th day of February, 2002.

**AN ORDINANCE ESTABLISHING A TRANSPORTATION BENEFIT DISTRICT
WITHIN THE CITY OF LIBERTY LAKE INCORPORATING BY REFERENCE AND
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The introductory paragraphs state that the City desires to establish a Transportation Benefit Area consistent with the Transportation Benefit District created by Spokane County under Ordinance 99 0796.

Section 1 establishes a Transportation Benefit District similar to that created by Spokane County under Ordinance No. 99 0796.

Section 2 appoints the City Council as the governing body of the District.

Section 3 incorporates and ratifies actions of Spokane County.

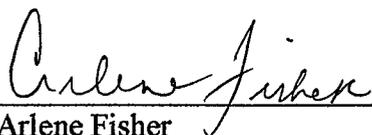
Section 4 states the public benefit.

Section 5 states the duration of the District.

Section 6 establishes a severability clause in the event some portion of the Ordinance is held invalid.

Section 7 states this Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary.

The full text of the Ordinance is available at the Interim City of Liberty Lake City offices as identified above. A copy will be mailed out upon request.



Arlene Fisher
City Clerk

Published: 2-28-02