

**CITY OF LIBERTY LAKE
SPOKANE COUNTY, WASHINGTON
ORDINANCE NO. 208**

**AN ORDINANCE OF THE CITY OF LIBERTY LAKE, WASHINGTON, CREATING A
FUND FOR THE ADMINISTRATION, MAINTENANCE AND OPERATION OF THE
AQUIFER PROTECTION AREA REVENUES, AND ASSIGNING A NEW SECTION,
2.9, TO CHAPTER 3 OF THE LIBERTY LAKE MUNICIPAL CODE.**

WHEREAS, the City does hereby find that there is need to establish a special fund to be identified as the "Aquifer Protection Area Fund" for the purpose of administering and accounting for revenue received from the annual property tax statements issued by the Spokane County Treasurer;

WHEREAS, the City shall provide Spokane County an annual summary regarding the City's use of the APA revenues during the previous year;

WHEREAS, the Aquifer Protection Fund shall be designated as Fund 411;

WHEREAS, the City will use the aquifer protection revenues consistent with RCW 36.36.040;

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

Section 1. Title 2, Chapter 9, Revenue and Taxation, of the Liberty Lake Municipal Code is hereby amended by adding a new chapter, LLMC 2-9 to read as follows:

Sections:

- 2-9-1 Fund
- 2-9-2 Revenue
- 2-9-3 Expenditures
- 2-9-4 Administration

2-9-1 – Fund. There is hereby established in the City Treasury a special fund designated and known as the "Aquifer Protection Fund" (FUND 411).

2-9-2 – Revenue. All revenue collected, pursuant to the City's Interlocal Agreement with Spokane County, regarding uses and allocations of Aquifer Protection Area Revenues from annual property statements within the City of Liberty Lake shall be deposited in the Aquifer Protection Fund.

2-9-3 – Expenditures. The Aquifer Protection Fund shall be used and expended only for provisions identified under RCW 36.36.040, and as amended.

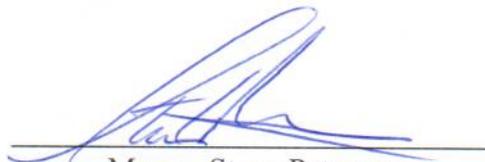
2-9-4 – Administration. The City Treasurer is charged with the administration of said fund.

Section 2. Accounting. The Aquifer Protection Fund accounting shall be according to rules developed by the State Auditor and the City shall annually during the budget process estimate revenues and anticipated appropriations for the above funds.

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 unconstitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 4. 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 1st day of October, 2013.



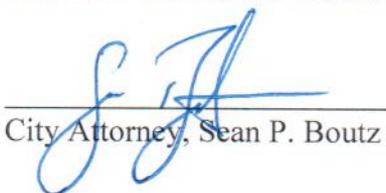
Mayor, Steve Peterson

ATTEST:



City Clerk, Ann Swenson

APPROVED AS TO FORM:



City Attorney, Sean P. Boutz

RCW 36.36.040

Use of fee revenues.

Aquifer protection areas may impose fees to fund:

(1) The preparation of a comprehensive plan to protect, preserve, and rehabilitate subterranean water, including groundwater management programs adopted under chapter [90.44](#) RCW. This plan may be prepared as a portion of a county sewerage and/or water general plan pursuant to RCW [36.94.030](#);

(2) The construction of facilities for: (a) The removal of water-borne pollution; (b) water quality improvement; (c) sanitary sewage collection, disposal, and treatment; (d) storm water or surface water drainage collection, disposal, and treatment; and (e) the construction of public water systems;

(3) The proportionate reduction of special assessments imposed by a county, city, town, or special district in the aquifer protection area for any of the facilities described in subsection (2) of this section;

(4) The costs of monitoring and inspecting on-site sewage disposal systems or community sewage disposal systems for compliance with applicable standards and rules, and for enforcing compliance with these applicable standards and rules in aquifer protection areas created after June 9, 1988; and

(5) The costs of: (a) Monitoring the quality and quantity of subterranean water and analyzing data that is collected; (b) ongoing implementation of the comprehensive plan developed under subsection (1) of this section; (c) enforcing compliance with standards and rules relating to the quality and quantity of subterranean waters; and (d) public education relating to protecting, preserving, and enhancing subterranean waters.

[1991 c 151 § 2; 1988 c 258 § 1; 1985 c 425 § 4.]

* * * * *

CERTIFICATION

I, Ann Swenson, the undersigned City Clerk of the City of Liberty Lake, of Spokane County, Washington, HEREBY CERTIFY that the foregoing Ordinance is a full, true, and correct copy of Ordinance No. 208 duly adopted at a regular meeting of the City Council of said City, duly and regularly held at the regular meeting place thereof on October 1, 2013 of which meeting all members of said City Council had due notice and at which a majority thereof were present; and that at said meeting said Ordinance was adopted by the following vote: unanimous, 5-0.

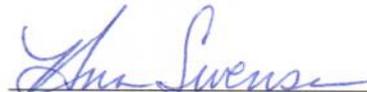
AYES, and in favor thereof: Council Members Kaminskas, Olander, Brickner, Beckett, and Kopelson

NAYS: None.

ABSENT: Mayor Pro Tem Langford None and Council Member Dunne.

ABSTAINED: None.

CITY OF LIBERTY LAKE



CITY CLERK