

ORDINANCE 2033

GRAF ANNEXATION

ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN REAL PROPERTY BY THE CITY OF SELAH, WASHINGTON, AND INCORPORATING THE SAME WITHIN THE CORPORATE LIMITS THEREOF AND ZONING SAID REAL PROPERTY ONE-FAMILY RESIDENTIAL (R-1).

WHEREAS, pursuant to RCW 35A.14.120, there was filed with the City of Selah three petitions of intent for annexation signed by the owners of not less than ten (10) percent in value, according to the assessed valuation for general taxation of the property for which annexation is sought; said petitions of intent were accepted by the City Council of the City of Selah, and thereafter, owners representing approximately ninety (90.23) percent in value, according to the assessed valuation for general taxation of the property for which annexation is being petitioned, have signed petitions seeking annexation to incorporate the described property within the corporate limits of the City of Selah; and,

WHEREAS, said petitions set forth the fact that the City Council of the City of Selah, Washington, would require the assumption of a pro-rata share of existing City indebtedness by the area requesting to be annexed; if ultimately annexed the property would be zoned One-Family Residential (R-1) on the date of annexation, and, the annexation petition is to be conditioned in that petitioners grant the City of Selah a “right of first refusal” to secure ownership of any irrigation and/or domestic water rights appurtenant to the land; and,

WHEREAS, garbage, refuse collection and disposal service within the GRAF Annexation area is presently provided to properties by Yakima Waste Systems, Inc. under authority issued by the Washington Utilities and Transportation Commission (WUTC) and the City desires to provide such services in accordance with RCW 35.13.280; and,

WHEREAS, RCW 35.13.280 requires the City to grant Yakima Waste Systems, Inc., as the current WUTC authorized provider of garbage, refuse collection and disposal service within the GRAF Annexation area, a franchise to continue to provide such garbage, refuse collection and disposal service to properties within the GRAF Annexation area for a term of seven (7) years from the effective date of the annexation; and,

WHEREAS, RCW 35.13.280 requires the City to provide specific notice to the WUTC regarding the City’s intent to provide garbage, refuse collection and disposal service within the GRAF Annexation area, through a franchise to Yakima Waste Systems, Inc. to continue to provide such garbage, refuse collection and disposal service to properties within the GRAF Annexation area for a term of seven (7) years from the effective date of the annexation; and,

WHEREAS, the City Council fixed the date of September 12, 2017, as the date for public

hearing thereon and caused due and proper notice of said hearing to be published and posted pursuant to RCW 35A.14.130; and

WHEREAS, the public hearing has been held as scheduled, and the City Council considers that the best interests of the City and the property mapped in Exhibit A would be best served by annexing the area into the City of Selah; and,

WHEREAS, the City Council has determined that One-Family Residential (R-1) zoning is the appropriate zoning designation for the property to be annexed based on the adopted 2017 City of Selah Urban Growth Area Comprehensive Plan;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON does ordain as follows:

SECTION 1. That the property legally described in Exhibit A, as approved by the Yakima County Public Works Department, being contiguous to the City of Selah, be and the same is annexed to the City of Selah, and incorporated therein (Parcel Numbers: 18130221011, 18130221005, 18130221004, & 18130221008).

SECTION 2. All property within the territory so annexed shall be assessed and taxed at the same rate and on the same basis as property within the City is assessed and taxed to pay for the now outstanding indebtedness of the City of Selah contracted prior to or existing at the date of annexation.

SECTION 3. The property described in Exhibit A is exempt from the City of Selah Fire Station Bond Levy.

SECTION 4. The property described in Exhibit A is hereby classified and zoned as One-Family Residential (R-1).

SECTION 5. The area hereby annexed shall become a part of the City of Selah, Washington, and this ordinance shall take effect and be in force five days after publication.

SECTION 6. The City Clerk/Treasurer is directed to file a certified copy of this ordinance with the Washington Utilities and Transportation Commission to notify it of the City's intent, pursuant to RCW 81.77.020 and subject to the provisions of RCW 35.13.280, to provide refuse collection and disposal service to the GRAF Annexation area through a franchise for Yakima Waste Systems, Inc.

SECTION 7. There is herein granted a franchise to Yakima Waste Systems, Inc., in accordance with RCW 35.13.280, an exclusive franchise agreement to provide garbage, refuse

collection and disposal services, including residential curbside recycling and curbside yard waste collection, to properties within the GRAF Annexation area for a term of seven (7) years from the effective date of the annexation in accordance with RCW 35.13.280.

SECTION 8. The City of Selah Urban Growth Area Comprehensive Plan is hereby amended to incorporate the provisions of this ordinance.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF SELAH,
WASHINGTON, this 28th day of November, 2017.

Sherry Raymond, Mayor

ATTEST:

Dale Novobielski, Clerk-Treasurer

APPROVED AS TO FORM:

Bob Noe, City Attorney

ORDINANCE NO.: _____

Adoption Date: November 14, 2017

Effective Date: December 4, 2017