

CITY OF MILLWOOD, WASHINGTON

RESOLUTION 2015-03

MARCH 10, 2015

A RESOLUTION ADOPTING THE SPOKANE COUNTY COMPREHENSIVE SOLID WASTE MANAGEMENT PLAN AND THE SPOKANE COUNTY SOLID WASTE FLOW CONTROL REGULATIONS; AND OTHER MATTERS RELATED THERETO

WHEREAS, the City of Millwood (the “City”), Spokane County, Washington is a non-charter code city, by virtue of the Constitution and laws of the State of Washington; and

WHEREAS, pursuant to chapter 35A.11 RCW, the City Council (the “Council”) has “all powers possible for a city or town to have under the Constitution of this state, and not specifically denied to code cities by law” including but not limited to the provision of “governmental, or corporate services, including operating and supplying of utilities and municipal services commonly or conveniently rendered by cities or towns...”; and

WHEREAS, pursuant to RCW 35.21.120 and RCW 35.21.152, a city or town may provide for solid waste handling by or under the direction of officials and employees of the city or town or may award contracts for any service related to solid waste handling including contracts entered into with public or private parties to utilize or operate publicly or privately owned or operated solid waste handling systems, plants, sites, or other facilities under such conditions as may be determined by the Council; and

WHEREAS, on October 14, 2014, the Council adopted Resolution 2014-07, which pursuant to chapter 39.34 RCW approved that certain “Interlocal Agreement Between Spokane County and City of Millwood for Solid Waste Transfer and Disposal and Other Matters Related Thereto” (the “Interlocal Agreement”) a copy of which is attached hereto as Attachment “A”; and

WHEREAS, pursuant to Attachment “B” of the Interlocal Agreement, the City agreed to “adopt the draft [Spokane County Comprehensive Solid Waste Management Plan (the “SCCSWMP”)] or any amendment, revision or update thereto so long same has been considered by” the Spokane County Solid Waste Advisory Committee, with the SCCSWMP to be “binding upon the City” after approval or adoption by the State of Washington Department of Ecology; and

WHEREAS, pursuant to Attachment “C” of the Interlocal Agreement, the City agreed to “adopt and enforce [Spokane County]’s Flow Control Ordinance within its jurisdiction;”

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Millwood that:

Section 1. Adoption of Draft Spokane County Comprehensive Solid Waste Management Plan: The City Council adopts the draft SCCSWMP, a copy of which is attached hereto as Attachment “B” and incorporated herein by this reference.

Section 2. Adoption of Spokane County Flow Control Ordinance: The City Council adopts the Spokane County Flow Control Ordinance (Spokane County Ordinance No. 14-0879), a copy of which is attached hereto as Attachment “C” and incorporated herein by this reference.

Section 3. Severability: If any section, sentence, clause, or phrase of this Resolution 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 Resolution.

Section 4. Repeal: All ordinances and resolutions, laws, and regulations, or parts thereof in conflict with this Resolution are, to the extent of said conflict, hereby repealed.

Section 5. Effect: This Resolution shall be in full force and effect from and after its adoption by the City Council.

PASSED BY THE COUNCIL OF THE CITY OF MILLWOOD, WASHINGTON, THIS 10th DAY OF MARCH, 2015.



KEVIN FREEMAN, MAYOR

Attest:



Thomas G. Richardson, City Clerk

Attachments:

Attachment "A"- Interlocal Agreement Between Spokane County and City of Millwood for Solid Waste Transfer and Disposal and Other Matters Related Thereto

Attachment "B"- Draft Spokane County Comprehensive Solid Waste Management Plan

Attachment "C"- Spokane County Flow Control Ordinance (Spokane County Ordinance No. 14-0879)

ATTACHMENT "A"

**Interlocal Agreement Between Spokane County and City of
Millwood for Solid Waste Transfer and Disposal and Other
Matters Related Thereto**

ATTACHMENT “B”
Draft Spokane County
Comprehensive Solid Waste Management Plan

ATTACHMENT “C”

**Spokane County Flow Control Ordinance
(Spokane County Ordinance No. 14-0879)**