

ORDINANCE NO. 2009-06

AN ORDINANCE OF THE CITY OF REPUBLIC, WASHINGTON, PROVIDING FOR ACCESS MANAGEMENT, ACCESS PERMITS AND ADMINISTRATIVE PROCESS FOR STATE-MANAGED ACCESS HIGHWAYS PURSUANT TO RCW 47.50.

WHEREAS, the City of Republic, Washington, has certain state-managed access highways within its boundaries, as follows:

A. State Route 20, beginning at milepost 301.92 and ending at milepost 302.64; and

B. State Route 20, beginning at milepost 302.64 and ending at milepost 303.34; and,

C. State Route 21, beginning at milepost 159.89 and ending at milepost 160.10; and,

WHEREAS, the City of Republic is required to adopt access permitting standards for state-managed access highways within its boundaries that meet or exceed Washington State Department of Transportation Standards; and,

WHEREAS, the City Council finds that it is necessary to provide such regulation and control of vehicular access and connection points of ingress to and egress from the state highway system within the boundaries of the City of Republic.

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

Section 1. RCW 47.50, et seq., and any amendments thereto, are hereby adopted by reference to provide for the regulation and control of the vehicular access and connection points of ingress to and egress from the state highway system within the boundaries of the City of Republic.

Section 2. Pursuant to the requirements and authority of RCW 47.50, the provisions of Chapter 468-51 and Chapter 468-52 of the Washington Administrative Code, together with all amendments thereto, are hereby adopted by reference in order to implement the requirements of RCW 47.50.

Section 3 – Definitions. For the purposes of this Ordinance and the regulations adopted by reference herein, the terms "Government Entity" and/or the "Department" shall mean the City of Republic, Washington.

Section 4 – Fees. All fees due and payable in connection with the access permitting as provided herein shall be paid to the City of Republic.

Section 5. If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of the Ordinance.

Section 6. This Ordinance shall become effective from and after its passage by the Council, approval by the Mayor and five days after publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF REPUBLIC,
WASHINGTON, THIS 2ND DAY OF March, 2009.

APPROVED:

By: _____
Shirley A. Couse, Mayor

ATTEST:

By: _____
Margo Sattler, City Clerk

APPROVED AS TO FORM:

By: _____
W. Scott DeTro, City Attorney

February 19, 2008

C. J. Stevens
City Clerk-Treasurer
City of Republic
P.O. Box 331
Republic, WA 99166-0331

RE: **Ordinance for Highway Access Management, Access Permits and Administrative Process**

Dear Chris:

Please find enclosed the original Ordinance that I have prepared to comply with the request made in your previous letter to me. After reviewing the documentation forwarded, the City is required to adopt access-permitting standards for state-managed access highways that either meet or exceed the WSDOT standards. To make sure that this is accomplished, I have prepared the Ordinance to adopt RCW 47.50, as well as WAC 468-51 and 468-52 by reference, as well as any subsequent amendments.

Please circulate the enclosed Ordinance for review and adoption. Please let me know if you have any additions or changes to be made. After adoption, at least one copy of the adopted Ordinance must be maintained at your office for public inspection and use, as well as copies of the statutes adopted by reference. Since you forwarded to me copies of WAC 468-51 and 468-52, those copies may be maintained with the original Ordinance. Please make sure that you also attach a copy of RCW 47.50.

If you have any questions regarding the enclosed Ordinance or the process, please do not hesitate to call.

Very truly yours,

CALLAWAY HOWE & DETRO PLLC

W. Scott DeTro
Attorney at law

WSD/dls
Enclosure