

ORDINANCE NO. 1

AN ORDINANCE OF THE LAKE FOREST PARK TRANSPORTATION BENEFIT DISTRICT AUTHORIZING A VEHICLE LICENSE FEE.

WHEREAS, Chapter 36.73 RCW and RCW 35.21.255 authorize the City Council to establish a transportation benefit district within the City's jurisdiction for the purpose of acquiring, constructing, improving, providing, and funding transportation improvements within the district, that are consistent with any existing state, regional, and local transportation plans and necessitated by existing or reasonably foreseeable congestion levels; and

WHEREAS, the City Council of the City of Lake Forest Park found it to be in the best interests of the City to establish a citywide Transportation Benefit District for the preservation and maintenance of the City's transportation infrastructure consistent with Chapter 36.73 RCW, to protect the City's long-term investments in that infrastructure, to reduce the risk of transportation facility failures and improve safety, to continue optimal performance of the infrastructure over time, and to avoid more expensive infrastructure replacements in the future; and

WHEREAS, in Ordinance No. 983, the City Council of the City of Lake Forest Park established a Transportation Benefit District as authorized by RCW 35.21.225 and subject to the provisions of RCW 36.73; and

WHEREAS, the Transportation Benefit District includes the entire City of Lake Forest Park as the boundaries currently exist; and

WHEREAS, pursuant to RCW 36.73.020(3), the members of the City Council, acting ex officio and independently, constitute the governing body of the Transportation Benefit District; and

WHEREAS, RCW 36.73.065 authorizes a transportation benefit district to impose, by majority vote of the district's governing board, up to twenty dollars of the vehicle fee authorized in RCW 82.80.140; and

WHEREAS, the Governing Board of the City of Lake Forest Park Transportation Benefit District finds it in the best interests of the District to establish an annual vehicle fee in the amount of \$20 for the purposes of ongoing transportation improvements that preserve and maintain the transportation infrastructure of the City of Lake Forest Park, consistent with Chapter 36.73 RCW.

NOW, THEREFORE, THE GOVERNING BOARD OF THE LAKE FOREST PARK TRANSPORTATION BENEFIT DISTRICT, DO ORDAIN AS FOLLOWS:

Section 1. Establishment of Annual Vehicle Fee. An annual vehicle fee in the amount of \$20 is established, consistent with RCW 36.73.065, to be collected by the Washington

Department of Licensing on qualifying vehicles, as set forth in RCW 82.80.140 and Chapters 36.73 and 46.16 RCW.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This ordinance shall take effect after publication and posting as provided by law.

PASSED BY A MAJORITY VOTE of the members of the Governing Board of the Lake Forest Park Transportation Benefit District 4th day of December, 2008.

APPROVED:


Ed Sterner, Chair

ATTESTED:


Susan Stine, District Clerk

Introduction: November 20, 2008
Final Action: December 4, 2008
Posted: December 19, 2008
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