

ORDINANCE NO. 1242

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST PARK, WASHINGTON, GRANTING PUGET SOUND ENERGY, INC. A WASHINGTON CORPORATION ITS SUCCESSORS AND ASSIGNS A NON-EXCLUSIVE, FIFTEEN YEAR FRANCHISE PROVIDING ELECTRIC AND NATURAL GAS SERVICE WITHIN THE CITY LIMITS; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, RCW 35A.11.020 grants the City of Lake Forest Park ("City") broad authority to regulate the use of the public right-of-way; and

WHEREAS, RCW 35A.47.040 authorizes the City to "grant nonexclusive franchises for the use of public streets, bridges or other public ways, structures or places above or below the surface of the ground for . . . poles, conduits, tunnels and structures, pipes and wires and appurtenances thereof for transmission and distribution of electrical energy, . . . for gas, . . . and other facilities for public service;" and

WHEREAS, Puget Sound Energy, Inc. ("PSE") currently provides electric and natural gas services for residences and businesses in the City; and

WHEREAS, the City Council finds that it is in the best interest of the health, safety and welfare of the residents of the City to grant a non-exclusive franchise to PSE for the operation of electrical energy and gas distribution systems within the City's boundaries; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE FOREST PARK, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. GRANTING OF FRANCHISE. The City Council authorizes the Mayor to execute a non-exclusive Franchise Agreement with Puget Sound Energy, Inc. to provide electrical energy and natural gas services for a period of fifteen (15) years with the City on the terms and conditions set forth in the Franchise Agreement attached hereto as Exhibit A.

Section 2. SEVERABILITY. Should any portion of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. CORRECTIONS. The City Clerk is authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 4. EFFECTIVE DATE. This ordinance shall take effect after publication and upon acceptance by PSE as provided in Section 17 of Exhibit A.

APPROVED BY A MAJORITY of the Lake Forest Park City Council this [click here](#) to enter day of month. day of [Click here to enter month.](#), 2022.

APPROVED:

Jeff Johnson
Mayor

ATTEST/AUTHENTICATED:

Matthew McLean
City Clerk

APPROVED AS TO FORM:

Kim Adams Pratt
City Attorney

Introduced: _____
Adopted: _____
Posted: _____
Published: _____
Effective: _____