

ORDINANCE 939

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMEROY, WASHINGTON, CANCELING A SOLID WASTE COLLECTION CONTRACT WITH CARROLL-NASLUND DISPOSAL; OPTING BACK IN TO REGULATION OF SOLID WASTE COLLECTION AND TRANSPORTATION BY THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN ORDINANCE EFFECTIVE DATE

THE CITY COUNCIL OF THE CITY OF POMEROY, WASHINGTON, DO ORDAIN AS FOLLOWS:

**SECTION 1.** The City of Pomeroy, pursuant to RCW 81.77.020 and RCW 81.77.0201, being fully advised in the premises, does hereby cancel, effective July 31, 2024, that certain solid waste collection contract with Carroll-Naslund Disposal, Inc. effective January 1, 2016, pursuant to Sections 11 and 21 of said Contract. Carroll-Naslund Disposal Service, Inc., the current contractor, for its part, fully concurs in this cancellation and mutual rescission of the Contract.

This action is premised upon the City now reversing its prior decision to exercise jurisdiction and deciding instead it wishes to opt back in to the regulation of solid waste collection and transportation within city limits to the oversight, jurisdiction and control of the Washington Utilities and Transportation Commission as authorized by Washington law, specifically, RCW 81.77.0201. The City Clerk is authorized to communicate the City's formal notification and decision to revert back to Commission jurisdiction to the Washington Utilities and Transportation Commission and is directed to take any further steps consistent with this decision.

**SECTION 2.** 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 this ordinance.

**SECTION 3.** A summary of this ordinance consisting of its title shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.

**PASSED BY** the City Council of the City of Pomeroy, Washington, at a regular meeting this 4<sup>th</sup> day of June, 2024.

Signed: \_\_\_\_\_

Jack Peasley, Mayor

Attest: \_\_\_\_\_

Diane L Taylor, City Clerk/Treasurer