

**AN ORDINANCE OF THE CITY OF LONGVIEW, WASHINGTON REPEALING  
ORDINANCE NO. 21 GRANTING A FRANCHISE TO CONSTRUCT AND MAINTAIN A  
DRAINAGE DITCH ON 26<sup>TH</sup> AVENUE SOUTH OF BEECH STREET**

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WHEREAS, by Ordinance No. 21, the City of Longview granted to Cowlitz County for the benefit of Consolidated Diking Improvement District No. 1 and to the Supervisors of said District, a franchise to construct and maintain a drainage ditch in that portion of 26<sup>th</sup> Avenue in Highlands Addition to Longview No. 1, lying South of the Northerly line of Beech Street; and

WHEREAS, the City of Longview is currently engaged in the preparation for certain public works drainage improvements along Beech Street upstream to said area; and

WHEREAS, the City of Longview has determined said ditch no longer exists, nor is needed, and the existing drainage pipe is maintained by the City of Longview; and,

WHEREAS, the City of Longview determined that Consolidated Diking Improvement District No. 1 has no benefit to said area to construct and maintain a drainage ditch now, nor in the future; and

WHEREAS, the City of Longview Public Works Department has recommended to the Consolidated Diking Improvement District No. 1 to relinquish District's right, privilege and franchise granted by Ordinance No. 21; and

WHEREAS, at the regular meeting of the Supervisors of Consolidated Diking Improvement District No. 1 on February 13, 2018, the Supervisors of said District determined voted that they have no objection to the repeal of Ordinance No. 21.

**NOW THEREFORE**, the City Council of the City of Longview do ordain as follows:

**Section 1.** Ordinance No. 21 of the City of Longview, passed by the Longview City Council on September 2, 1924, is hereby repealed.

**Section 2.** If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance and the same shall remain in full force and effect. The City of Longview hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**Section 3.** That the City of Longview City Clerk is hereby ordered and directed to cause this Ordinance to be published.

**Section 4.** Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

**Section 5.** This Ordinance shall be in full force and effect from and after thirty (30) days from the date of its passage and publication as provided by law.

Passed by the City Council this 22<sup>nd</sup> day of March, 2018.

Approved by the Mayor this 22<sup>nd</sup> day of March, 2018.

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MAYOR

ATTEST:

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City Clerk

APPROVED AS TO FORM:

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James McNamara  
City Attorney

Published: \_\_\_\_\_