TITLE OF DOCUMENT: Acceptance and Adoption of the South portion of Lakeview Street as a Whatcom County Road

ATTACHMENTS: Memo to County Executive and Council, Map, Proposed Ordinance, Public Hearing Notice

SEPA review required? ( ) Yes ( X ) NO
SEPA review completed? ( ) Yes ( ) NO
Should Clerk schedule a hearing? ( X ) Yes ( ) NO
Requested Date: March 29, 2005

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

Whatcom County seeks, by ordinance, to accept a portion of newly constructed road lying south of the existing County maintained portion of Lakeview Street. The County offers the following pertinent facts to support the establishment:

The road was constructed to the minimum County Road standards of 20 feet of pavement with 3-foot gravel shoulders. The previous County Road Engineers stated that if the road were constructed to the standard, it would be taken forth to County Council for consideration of acceptance and adoption as a Whatcom County Road. The road provides necessary vehicular access to a significant number of residences and the public would be better served by county maintenance of the road. Whatcom County Public Works requests County Council to accept and adopt the new road and the right-of-way.

COMMITTEE ACTION:

3/15/2005: Introduced
3/29/2005: Adopted 6-0, Nelson absent
Ord. #2005-034

COUNCIL ACTION:

Ordinance or Resolution Number: Ord. #2005-034

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County’s website at: www.co.whatcom.wa.us/council.
ORDINANCE NO. 2005-034
DECLARING INTENT TO ACCEPT A SECTION OF LAKEVIEW STREET,
DECLARING THAT SUCH ESTABLISHMENT IS A PUBLIC NECESSITY, AND DIRECTING
COUNTY ROAD ENGINEER TO REPORT TO COUNCIL UPON THE PROJECT

WHEREAS, the southern section of Lakeview Street was built under a series of
Whatcom County trail permits and lies within County right-of-way; and

WHEREAS, the section of Lakeview Street is constructed to a minimum County Road
Standard of 20 feet of pavement with 3 foot gravel shoulders; and

WHEREAS, the road provides necessary vehicular access to a significant number of
residences; and

WHEREAS, it is a matter of general policy for the County to establish a County road and
assume responsibility for its maintenance, if doing so provides service to the citizenry at a
reasonable cost; and

WHEREAS, the public may be better served by county maintenance of the road
identified herein; and

WHEREAS, the financial burden assumed by the County as a result of increased road
maintenance responsibilities is balanced by increased revenues from state tax funds for the
additional length of road in the County road system; and

WHEREAS, the Council needs the most accurate, up-to-date information concerning the
condition of the roadway, the status of the underlying right-of-way, the financial implications of
accepting this roadway into the County road system, and the public benefit to be derived from
the establishment of this roadway as a County road; and

WHEREAS, RCW 36.81 requires that the County Road Engineer, upon direction from
the Council, provide such information to the Council via a report; and

WHEREAS, RCW 36.81 requires that a public hearing be scheduled and held, and
that proper notice be given before this road is established as a public road with the County road
system; and
WHEREAS, The County Council held a public hearing on the proposed acceptance of the southern section of Lakeview Street on  March 29, 2005, and is authorized to adopt the road and right-of-way.

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that the new and remaining portion of Lakeview Street south of the existing county maintained portion of Lakeview Street be accepted as a County road within County right-of-way upon Public Works Department of Whatcom County approval of the road construction.

ADOPTED the  29 day of March , 2005.

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Laurie Caskey-Schreiber, Council Chair

Pete Kremen, County Executive
Date:  3-31-05