

RESOLUTION NO. 2017-017

**A RESOLUTION OF THE CITY OF BINGEN
DECLARING A LOCAL EMERGENCY
DUE TO FAILURE OF DICKEY FARMS WATERLINE**

WHEREAS, on August 16, 2016, the City of Bingen was notified of a potential waterline leak under State Highway 14 near property owned by D.R. O'Hara and property owned by Dickey Farms.

WHEREAS, the City of Bingen Public Works Department investigated the leak and determined that the waterline leaking was a line owned by Dickey Farms that runs underneath Highway 14 that serves property on both the north and south sides of the highway; and

WHEREAS, there is an ongoing dispute between the City of Bingen and Dickey Farms over the ownership of the waterline; and

WHEREAS, the waterline serves properties and businesses that are not owed by Dickey Farms, and

WHEREAS, the leak is undermining Highway 14, and

WHEREAS, there is an emergency present, which necessitates the utilization of emergency powers granted to the City;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BINGEN, WASHINGTON DO RESOLVE AS FOLLOWS:

Section 1. There is hereby declared an emergency as defined by RCW 39.04.280(3) due to the unforeseen nature of the condition and the immediate risk to damage property and endanger health.

Section 2. Pursuant to the emergency declared in Section 1, the City Administrator and working with the Public Works Superintendent is authorized to enter into contracts and incur obligations necessary to address such emergency with approval of the Mayor. Emergency measures may include entering into a contract for to install a temporary waterline and to replace the waterline underneath Highway 14.

Section 3. The declaration of the local emergency set forth in Section 1 shall terminate when in the Mayor's judgment the emergency measures contained herein are no longer required to safeguard property and public health.

Section 4. This resolution is retroactive to August 16, 2016 when the city council authorized the mayor to pursue emergency procedures to repair the broken waterline owned by Dickey Farms.

ADOPTED by the City Council of the City of Bingen, Washington, and APPROVED by its Mayor, at a regularly scheduled open public meeting thereof this 19th day of September, 2017.



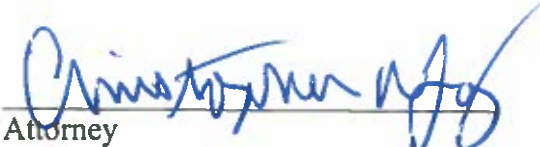
Mayor

Attest:



City Clerk - Treasurer

Approved as to Form:



Attorney