

RESOLUTION NO. 641

A RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF BIRCH BAY WATER AND SEWER DISTRICT,  
WHATCOM COUNTY, WASHINGTON,  
AMENDING THE COMPREHENSIVE SEWER PLAN

WHEREAS, the District adopted its Comprehensive Sewer Plan on October 14, 1999; and

WHEREAS, on January 19, 2000, the Department of Ecology ("DOE") issued formal approval of the District's updated Comprehensive Sewer Plan; and

WHEREAS, on January 25, 2000, the county legislative authority approved the updated Comprehensive Sewer Plan; and

WHEREAS, on February 17, 2000, the District re-adopted its Comprehensive Sewer Plan to include additional text requested by DOE; and

WHEREAS, on May 10, 2001, the District adopted Amendment No. 1 to its Comprehensive Sewer Plan for consistency with the District's agreement to provide domestic wastewater service to the ARCO Cherry Point Refinery; and

WHEREAS, the District Commissioners intend to update the sections of the Comprehensive Sewer Plan, as set forth in Exhibit A, to incorporate the District's decision to extend its sewer system to serve the Birch Bay View Community and to include the local facilities charge method as an additional method of sewer system financing, all in conformance with Chapter 57.16 RCW;

NOW, THEREFORE,

BE IT RESOLVED by the Board of Commissioners of Birch Bay Water and Sewer District, Whatcom County, Washington as follows:

Section 1: The District hereby adopts the amendments, dated January 2005, as set forth in Exhibit A, to the Birch Bay Water and Sewer District Comprehensive Sewer Plan, re-adopted February 17, 2000, by Resolution No. 596 and as amended May 10, 2001, by Resolution No. 607. The Comprehensive Sewer Plan and Amendment No. 1 thereto remains in full force and effect, except as modified by the amendments set forth in Exhibit A.

Section 2: BE IT FURTHER RESOLVED that any resolutions or parts of resolutions in conflict herewith are hereby repealed insofar as they conflict with the provisions of this Resolution.

Section 3: If any section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Resolution. The Board hereby declares that it would have passed this code and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more

sections, subsections, sentences, clauses or phrases has been declared invalid or unconstitutional, and if, for any reason, this Resolution should be declared invalid or unconstitutional, then the original Resolution or Resolutions shall be in full force and effect.

Section 4: This Resolution shall be in full force and effect on date of adoption set forth below.

PASSED by the Board of Commissioners of Birch Bay Water and Sewer District, Whatcom County, Washington, at a regular meeting held the 27th day of January, 2005.

  
COMMISSIONER

  
COMMISSIONER

  
COMMISSIONER

THIS IS TO CERTIFY that the above is a true and correct copy of Resolution No. <sup>641</sup>~~640~~ of Birch Bay Water and Sewer District, Whatcom County, Washington, adopted at the regular meeting of the Board of Commissioners on January 25, 2005.

  
SECRETARY