CITY OF SAMMAMISH
WASHINGTON
ORDINANCE NO. O2005-173

AN ORDINANCE OF THE CITY OF SAMMAMISH, WASHINGTON, GRANTING THE ISSAQUAH SCHOOL DISTRICT, A PUBLIC SCHOOL DISTRICT, THE RIGHT, PRIVILEGE, AUTHORITY AND FRANCHISE TO CONSTRUCT, MAINTAIN, REPAIR, REPLACE, AND OPERATE UPON, OVER, UNDER, ALONG AND ACROSS THE FRANCHISE AREA FOR PURPOSES OF A FIBER OPTIC NETWORK

WHEREAS, the City of Sammamish allows communication facilities within the City’s rights-of-way; and

WHEREAS, the Issaquah School District, a public school district, desires to enhance communication between schools through the use of a fiber optic network; and

WHEREAS, a Franchise Agreement is necessary to outline the requirements, terms, and conditions of the use of the public right of way,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Franchise Agreement. The requirements, terms, and conditions for the use of public right-of-way by the Issaquah School District for the purposes of constructing, operating, and maintaining a fiber optic network for communication between school facilities is as set forth in the Franchise Agreement, Franchise Number 2005-001, included as Attachment A.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This Ordinance 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.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 1ST DAY OF MARCH, 2005.
CITY OF SAMMAMISH

Mayor Don Gerend

ATTEST.AUTHENTICATED:

Melanie Anderson
Melanie Anderson, City Clerk

Approved as to form:

Stephen B. King, for
Bruce L. Disend, City Attorney

Filed with the City Clerk: February 7, 2005
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