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4/28/22

An ordinance extending the duration of the franchise held by WASHINGTON WATER SERVICE COMPANY, for use of county roads in the Elizabeth Lane area.

THE BOARD OF CLALLAM COUNTY COMMISSIONERS finds as follows:

Incorporation of testimony and record.

The Board adopts and incorporates herein the recommendations of staff, and any public testimony and documents received at the public hearing.

Incorporation of specific findings made at hearing.

1. The Board of Clallam County Commissioners desires to adopt an extension to the franchise granted by Clallam County (the "County") and held by Washington Water Service Company, (WWSC) concerning use of County right-of-way.
2. WWSC holds a Franchise granted by the County on June 11, 2002 under Ordinance no: 724 for use of county property for location of waterline facilities; and
3. The current term of the Franchises runs June 21, 2022; and
4. The County, and WWSC each desire to enter into an amendment extending the term of the Franchises as set forth herein to investigate future modifications to the Franchise agreement.
5. County law provides that the Franchise may be amended by Ordinance, and the parties have mutually agreed to extend the duration of the Franchise;

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS: The following

Section .010 Purpose.

The County has determined to extend the term of the Franchise granted by Ordinance 724 for an additional period of five (5) years.

1. Accordingly, the portion of Section 4 of the Franchise granted by Ordinance 724, which states: "TERM: The term of this franchise shall be for a period of five (5) years, beginning on the effective date of this franchise, unless terminated, revoked or modified under the provisions of this franchise. This franchise shall be automatically renewed for additional five (5) year terms up to a total of twenty (20) years from the effective date of this franchise, Unless not less than sixty (60) days prior to the termination of the current term or extension, the County gives notice of its intention to renegotiate the terms or conditions of the franchise, in which case, the franchise shall not renew unless and until the County and the Grantee reach agreement on terms and conditions acceptable to both parties. If the County and the Grantee are unable to reach agreement on new terms and conditions, the franchise shall terminate and the Grantee shall remove its facilities from the County rights-of-way unless otherwise allowed under Sec. 17." **is hereby deleted in its entirety and is replaced with the following:** "TERM: The Franchise granted by this ordinance shall continue in full force and effect for a period of five (5) years beginning on the effective date of this franchise."

4. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

ADOPTED this 20 day of June 2022

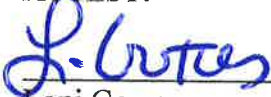
BOARD OF CLALLAM COUNTY COMMISSIONERS


Mark Ozias, Chair


Randy Johnson


Bill Beach

ATTEST:



Loni Gores,
CMC, Clerk of the Board



Washington Water Service Company


Matthew Brown
General Manager

Approved as to Form


Bert D. Boughton
Deputy Prosecuting Attorney