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ORDINANCE NO. 855

AN ORDINANCE OF THE CITY OF CARNATION, WASHINGTON, AMENDING CHAPTER 3.20 CMC DISPOSITION OF PUBLIC PROPERTY; INCREASING THE TERM FOR WHICH CITY REAL PROPERTY MAY BE LEASED TO OTHER PARTIES; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City has adopted local regulations governing the disposition of public property at Chapter 3.20 CMC; and

WHEREAS, through said regulations, the City has historically limited the duration for which City real property may be leased to other parties to five-year terms; and

WHEREAS, the City Council desires to relax this limitation by authorizing real property leases up to fifteen years in duration, and by clarifying the standards for lease renewal terms; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF CARNATION, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. Amendment of CMC 3.20.070. Section 3.20.070 of the Carnation Municipal Code is hereby amended to provide in its entirety as follows:

3.20.070 Lease of real property.

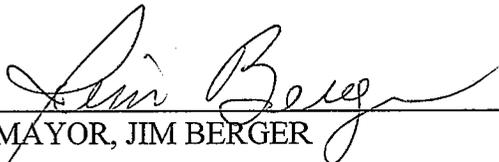
All leases and subleases of real property shall be submitted to the city council for approval prior to execution, and shall be let either by use of negotiations or bidding in the best interest of the city. Leases of real property shall not be granted for a period of more than fifteen years; provided, that leases may provide for

additional renewal periods for a maximum of twenty total years, inclusive of the original lease term, as long as the lease provides that (i) any such renewal is at the discretion of the city, and (ii) any such renewal will not occur automatically or otherwise by default, and instead requires affirmative city approval action to be effective.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

APPROVED by the Carnation City Council this 16th day of December, 2014.


MAYOR, JIM BERGER

ATTEST/AUTHENTICATED:


CITY CLERK, MARY MADOLE

FILED WITH THE CITY CLERK: 11/12/2014
PASSED BY THE CITY COUNCIL: 12/16/2014
PUBLISHED: 12/24/2014
EFFECTIVE DATE:..... 12/29/2014
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