



RESOLUTION 2004-061

A RESOLUTION GRANTING SOLID WASTE COLLECTION FRANCHISE TO NEWBERG GARBAGE SERVICE

WHEREAS, solid waste collection is regulated in the City by Sherwood Municipal Code Chapter 8.20 (Solid Waste Management); and the terms and conditions of a franchise granted to Pride Disposal, Inc.; and

WHEREAS, the City has recently annexed territory in Washington County that is currently serviced by Newberg Garbage Service, a solid waste management company; and

WHEREAS, ORS 459.085(3) allows a county-franchised waste collector to continue to serve territory annexed by a city;

WHEREAS, Newberg Garbage Service has applied for a City franchise to provide solid waste management services to the recently-annexed territories within the City that it has previously serviced under a Washington County-granted franchise; and

WHEREAS, the City has authority over rights-of-way within its boundaries under its Charter and ORS 221.410; and

WHEREAS, the City manages users of its rights-of-way for the privilege of such use;
and

WHEREAS, the City believes it is in the public interest of its residents to grant a solid waste franchise to Newberg Garbage Service; and

WHEREAS, the rates for solid waste collection services are set forth in Resolution No. 2004-030.

NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:


Section 1. A solid waste collection franchise is granted to Newberg Garbage Service, Inc. as set forth in Exhibit A.

Section 2. The franchise area is shown on the map attached as Exhibit B. This franchise area will increase as the City annexes territory that is included within the Newberg Garbage Service, Inc. franchise with Washington County.

Section 3. The rates for the collection services performed by Newberg Garbage Service, Inc. are those set forth in Resolution No. 2004-030.

Section 4. This resolution is effective on July 13, 2004.

Adopted by the City Council this 13th day of July 2004.


Keith Mays, Council President

ATTEST:



C.L. Wiley, City Recorder

EXHIBIT A

**Franchise Agreement Between The City of Sherwood And Newberg Garbage Service, Inc.
for the Provision of Solid Waste Management Services**

This Franchise Agreement is entered into this 13th day of July, 2004, by and between the City of Sherwood, Oregon (City) and Newberg Garbage Service, Inc. (Company) for the provision of solid waste management services within the boundaries of the City.

The effective date of this Agreement is the date the below Acceptance is signed by Company.

Company will begin providing services under this Agreement between September 1, 2004 and October 1, 2004.

The term of this Agreement will commence at midnight of the day the Company begins providing service under this Agreement and will continue and be in full force for a period of ten years. This Agreement will be renewed pursuant to the terms under Section 8.20.050 of the Sherwood Municipal Code.

Company accepts the Franchise on the terms and conditions set forth in this Agreement, and all such ordinances and regulations adopted by the City.

ACCEPTED BY:

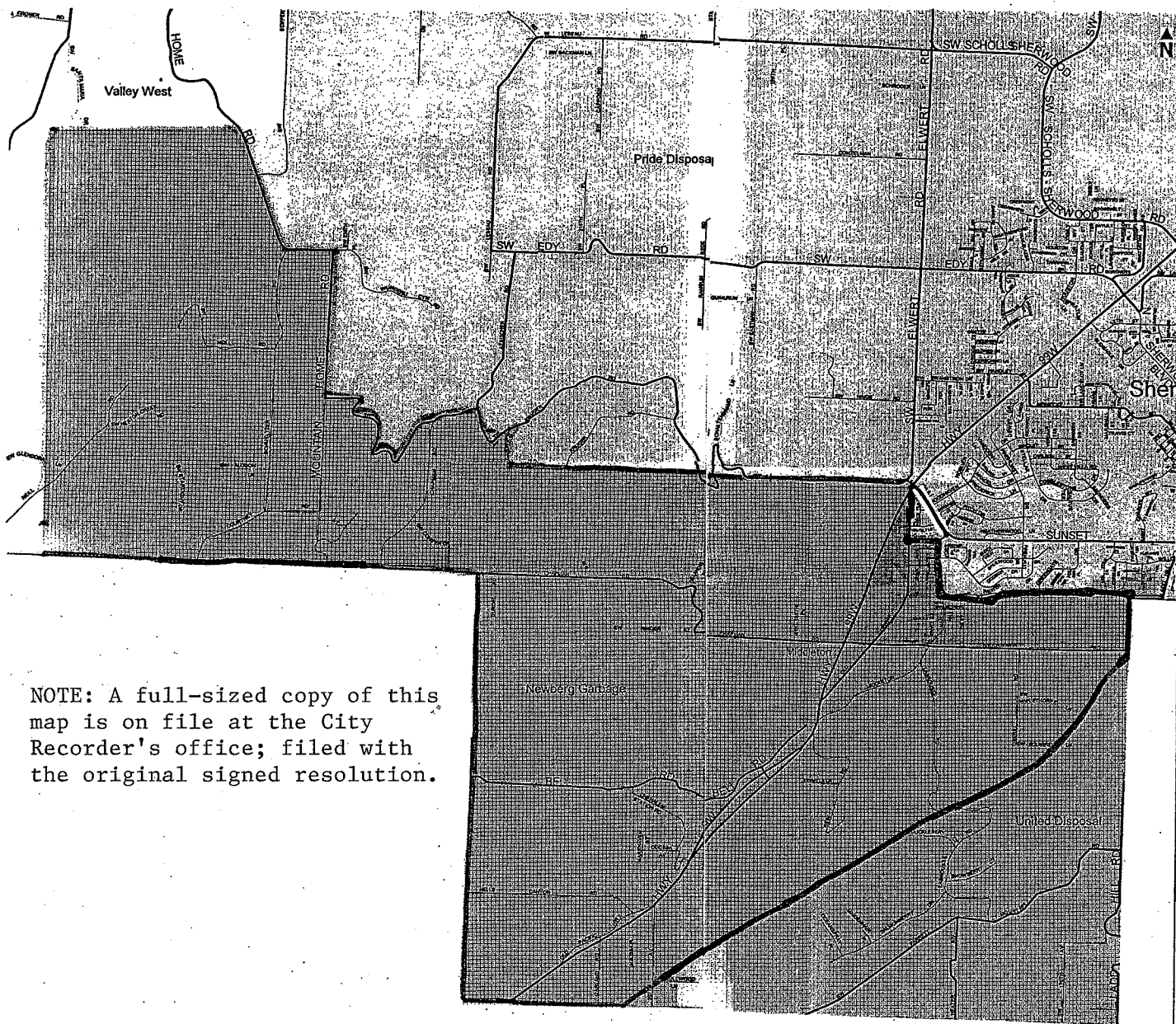
Newberg Garbage Service, Inc.

Signature

Name

Title

Date






NOTE: A full-sized copy of this map is on file at the City Recorder's office; filed with the original signed resolution.

WASHINGTON COUNTY

GEOGRAPHIC INFORMATION SYSTEM

Newberg Garbage

-  Newberg Garbage Franchise Within City Limits
-  Newberg Garbage Franchise Within UG B - WA Cty
-  Newberg Garbage Franchise Outside UG B - WA Cty

0 1000 2000 3000 4000 5000 Feet

1" = 1750 feet



This map was derived from several databases. The County cannot accept responsibility for any errors. Therefore, there are no warranties for this product. However, notification of errors would be appreciated.