

**TOWN OF RUSTON**

**ORDINANCE NO. 1322**

**AN ORDINANCE OF THE TOWN OF RUSTON AMENDING TOWN OF RUSTON ORDINANCE 1200 RELATING TO VACATION OF CERTAIN PORTIONS OF NORTH ORCHARD STREET**

**WHEREAS**, on July 18, 2005 Ordinance 1172 was passed vacating a portion of Court Street Right-of-way (ROW) between Orchard Street and Villard Street as depicted in Exhibit A; and

**WHEREAS**, on December 18, 2006 Ordinance 1200 was passed which amended Ordinance 1172 by making certain modifications to conditions imposed by Ordinance 1172 and which also vacated a portion of N. Orchard Street and an alley; and

**WHEREAS**, in January 2008, the Town corrected certain errors in Ordinance 1200; and

**WHEREAS**, the Town Council finds that it is in the best interest of the Town to modify or eliminate certain conditions placed upon the developer of the adjacent property in order to facilitate the development of vacant lots;

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF RUSTON, WASHINGTON:**

**Section 1.** Section 4 of Town of Ruston Ordinance No. 1200 is hereby amended to read in its entirety as follows:

**Section 4.** Section 4 Of Ordinance 1172 shall be amended as follows:

**Section 4. Road Construction and Dedication** – Before any segregation, subdivision, plat amendment, boundary line adjustment, building permit or digging and grading permit shall be issued to any property that uses Orchard Street for access north of Court Street and south of the Burlington Northern Railroad; right-of-way for lot access and an emergency vehicle turn around shall be dedicated in the location as shown in Exhibit B. Improvements shall be constructed to the standards described below prior to occupancy of any buildings north of Court Street that use Orchard Street for access.

**Minimum Construction Standards**

1. Roads shall be constructed, as shown in Exhibit C.
2. Pavement shall meet Uniform Fire Code and Town of Ruston standards.
3. Curb and gutter and sidewalk shall be constructed on the north side of Court Street outside the 30 foot pavement as shown in Exhibit C.
4. Storm drainage must be provided to Town of Ruston Standards.
5. Street Lighting must be provided
6. Curb, gutter, and sidewalk (WSDOT standard or City of Tacoma standard for

thickened edge/gravel walk) shall be provided on the east side of Orchard Street south of the turnaround prior to occupancy of any building in Tacoma that uses Orchard Street for access.

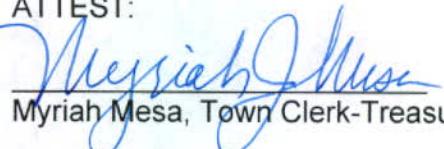
~~7. The 10' +/- area in Orchard Street right-of-way east of the turnaround shall be available for public access. A guard meeting IBC Section 1012 (Guards) shall be provided near the top of the slope.~~

**Section 2.** Effective Date. This ordinance shall be effective upon publication. A summary of this Ordinance may be published in lieu of the entire Ordinance, as authorized by State law.

PASSED THE COUNCIL AND APPROVED by me this 15th day of November, 2010.

  
Bruce Hopkins, Mayor

ATTEST:

  
Myriah Mesa, Town Clerk-Treasurer