

CITY OF SEATTLE
ORDINANCE 127313
COUNCIL BILL 121023

AN ORDINANCE relating to railroad franchises; amending Sections 1 and 3 of Ordinances 126969 and 126970 to correct an error in the name of a franchisee.

WHEREAS, Ordinances 126969 and 126970 amended descriptions of railroad franchises held in and around Whatcom Yard; and

WHEREAS, Burlington Northern Railroad Holdings, Inc., was described as one of the two owners of the franchise rights at issue in the two ordinances; and

WHEREAS, Burlington Northern Railroad Holdings, Inc. is referred to in the rest of the ordinances as BNSF; and

WHEREAS, Burlington Northern Railroad Holdings, Inc. is one of several “Consolidated Subsidiaries” of BNSF Railway Company;¹ and

WHEREAS, BNSF Railway Company is the owner of the franchise rights rather than any of its subsidiaries, and the City’s granting of those rights should be amended to list the correct owner; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 1 of Ordinance 126969 is amended as follows:

Section 1. The City Council finds and declares that Union Pacific Railroad Company, a Foreign ((Profit)) Corporation (Union Pacific), and ((~~Burlington Northern Railroad Holdings, Inc.~~)) BNSF Railway Company (BNSF), a ((~~Foreign Profit~~)) Delaware Corporation, are the current owners of the railroad franchise rights at Whatcom

¹ <https://www.bnsf.com/about-bnsf/financial-information/pdf/22R1.pdf> (p. 9)

Yard and the adjoining areas. Both companies have rights to operate trains along East Marginal Way and within Whatcom Yard.

Section 2. Section 3 of Ordinance 126969 is amended as follows:

Section 3. In order to claim the benefits of this ordinance and to acquire the rights, privileges and authorities hereby granted, Union Pacific and BNSF, on behalf of itself, its successors and assigns, shall ~~((within six (6) months after the effective date of this ordinance))~~ by August 31, 2025, file in the office of the City Clerk written acceptance of the ordinance, duly certified and attested to by its Secretary, under its corporate Seal; or a resolution adopted by its Board of Directors or by the Executive Committee, or Finance Committee of said Board, thereunto duly authorized, accepting the benefits of this ordinance and the rights, privileges and authorities hereby granted, subject to all the conditions, restrictions, specifications, and requirements herein expressed.

Section 3. Section 1 of Ordinance 126970 is amended as follows:

Section 1. The City Council finds and declares that Union Pacific Railroad Company, a Foreign ~~((Profit))~~ Corporation (Union Pacific), and ~~((Burlington Northern Railroad Holdings, Inc., a Foreign Profit Corporation))~~ BNSF Railway Company, a ~~((Foreign Profit))~~ Delaware Corporation (BNSF), are the current owners of the railroad franchise rights at Whatcom Yard and the adjoining areas. Both companies have rights to and are authorized by this ordinance to own the tracks of standard gauge railway, to lay down, construct, maintain, and operate trains along East Marginal Way and within Whatcom Yard.

Section 4. Section 3 of Ordinance 126970 is amended as follows:

Section 3. In order to claim the benefits of this ordinance and to acquire the rights, privileges and authorities hereby granted, Union Pacific and BNSF, on behalf of itself, its successors and assigns, shall ~~((within six (6) months after the effective date of this ordinance))~~ by August 31, 2025, file in the office of the City Clerk written acceptance of the ordinance, duly certified and attested to by its Secretary, under its corporate Seal; or a resolution adopted by its Board of Directors or by the Executive Committee, or Finance Committee of said Board, thereunto duly authorized, accepting the benefits of this ordinance and the rights, privileges and authorities hereby granted, subject to all the conditions, restrictions, specifications and requirements herein expressed.

Section 5. This ordinance shall take effect as provided by Seattle Municipal Code
Sections 1.04.020 and 1.04.070.

Passed by the City Council the 23rd day of September, 2025,
and signed by me in open session in authentication of its passage this 23rd day of
September, 2025.



President _____ of the City Council

☒ Approved / ☐ returned unsigned / ☐ vetoed this 26th day of September, 2025.



Bruce A. Harrell, Mayor

Filed by me this 26th day of September, 2025.



Scheereen Dedman, City Clerk

(Seal)