

CITY OF REDMOND, WASHINGTON

ORDINANCE NO. 619

AN ORDINANCE, relating to requirements for the underground installation of communication, electrical distribution and other utility facilities within public streets and private properties; and providing penalties for violations.

THE CITY COUNCIL OF THE CITY OF REDMOND DO ORDAIN AS FOLLOWS:

Section 1. Declaration of necessity. The City Council finds that with the increased intensity of use of the properties and streets within the City and the improvement made in the equipment and techniques for installing all utility services underground, that the public health, safety and welfare of the residents and citizens of Redmond, with the attendant need to protect, preserve and enhance the environment, require that all communication, electrical distribution and other utility service lines, facilities and systems be located and relocated underground as soon as practicable.

Section 2. Relocation. The policy of the City is that as major street improvement programs are undertaken, which programs require communication, electrical distribution or other utility facility relocations, that such facilities be relocated underground.

Section 3. Determination of relocation -- payment. The City Council when ordering the improvement of any street, whether financed by a local improvement district, City or other funds, shall determine whether the relocation of communication, electrical distribution or other utility facilities underground is required, including the manner of payment therefor, if necessary.

Section 4. Overhead facilities prohibited. It shall be unlawful for any person or firm to maintain, or permit to be maintained, any overhead communication, electrical distribution or utility facility adjacent to the underground facility on or after ninety days from the installation of the underground facility.

Section 5. Application for exception. Application may be made to the Director of Public Works for permission to continue the use of any overhead communication, electric distribution or other utility facility adjacent to an underground facility, when the enforcement of the terms of this chapter would cause unnecessary hardship. Appeal from the decision of the Director of Public Works may be made to the Board of Adjustment.

Section 6. Notice of relocation time. Prior to the completion of the installation of such underground communication, electrical distribution or other utility facility, the City shall notify the property owners of the time within which the relocation of overhead to underground facilities must be accomplished in order to continue to enjoy the right to receive communication, electrical or other utility service in accordance with the applicable tariff rules and regulations on file with the Washington Utilities and Transportation Commission.

Section 7. Conditions for use of services. On and after the time established by the City, the right to continue to receive utility service shall be conditioned upon the removal of such overhead facilities.

Section 8. Obligations of persons, utilities. The obligations of persons receiving communication, electrical or other utility service, and the obligation of the utilities involved, with respect to the cost of relocating such facilities shall be as provided by ordinance of the City, and the applicable tariff rules and regulations of the respective utilities as filed with the Washington Utilities and Transportation Commission.

Section 9. Property owner's responsibility for rewiring. Subject to the aforesaid tariff rules and regulations, it shall be the property owner's responsibility to provide all necessary labor and materials for any necessary rewiring and the physical relocation of the existing facilities between the primary location and the point at which secondary service is received on the customer's premises. The property owner shall also provide necessary occupancy rights for pad-mounted transformers necessary for the furnishing of such utility service subject to the tariff rules and regulations as filed with the Washington Utilities and Transportation Commission.

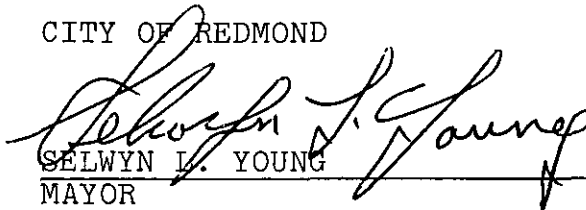
Section 10. Disconnection for noncompliance. The Director of Public Works shall have the authority to order the disconnection and removal of any and all overhead communication or electrical utilities service supplying utility service to noncomplying property owners.

Section 11. Penalty for violation. A violation of the provisions of this ordinance or any amendments thereto, is hereby made a misdemeanor and shall be punishable by the penalties provided in Section 1.01.110 of the Redmond Municipal Code.


Section 12. Effective date. This ordinance shall take effect and be in force five (5) days after the date of its publication in the manner provided by law.

PASSED by the Council of the City of Redmond, Washington, at a regular meeting thereof, and APPROVED by the Mayor **Pro tem** this 7th day of August, 1973.

CITY OF REDMOND

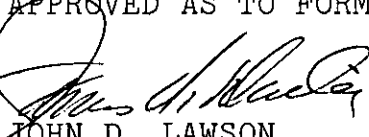

SELWYN L. YOUNG
MAYOR

ATTEST:


ELEANOR J. HAYDEN
CITY CLERK


S. B. ROUILLARD, MAYOR PRO TEM

APPROVED AS TO FORM:


JOHN D. LAWSON
CITY ATTORNEY

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