

ORDINANCE NO. 6713

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON RELATED TO UNDERGROUND UTILITIES; AUTHORIZING THE CITY TO CONSTRUCT AND PAY FOR UNDERGROUND ELECTRIC AND TELECOMMUNICATION UTILITY FACILITY CONNECTIONS, PROVIDING FOR AN APPEAL TO THE PUBLIC WORKS DIRECTOR, AND AMENDING SECTION 13.32A.130 OF THE AUBURN CITY CODE.

WHEREAS, the City's policy is to underground electric and telecommunication utility facilities whenever it is possible to reduce the number of power poles within the clear zone of a roadway and other public safety risks; and

WHEREAS, when underground utility facilities become available in the public rights-of-way, property owners must connect to the underground utility service or disconnect from the utility service; and

WHEREAS, the City Engineer has determined that it is in the best interest of the public for the City to conduct and pay for the underground electric and telecommunication utility connection to private property outside of structures when a failure to do so might result in construction delays and to avoid a temporary power structure in the clear zone; and

WHEREAS, the City will obtain additional consideration for the underground utility connection to private property through a separate agreement for the property owner to maintain their private underground power line and a construction easement, if necessary.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, DO ORDAIN as follows:

Section 1. Amendment to City Code. Section 13.32A.130 of the Auburn City Code is amended to read as shown in Exhibit A.

Section 2. Implementation. The Mayor is authorized to implement those administrative procedures necessary to carry out the directives of this legislation.

Section 3. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the invalidity of the application of it to any person or circumstance, will not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 4. Effective date. This Ordinance will take effect and be in force five days from and after its passage, approval, and publication as provided by law.

INTRODUCED: _____

PASSED: _____

APPROVED: _____

NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM:

Shawn Campbell, MMC, City Clerk

Steven L. Gross, City Attorney

Published: _____