

ORDINANCE NO. 2569

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE UNDERGROUNDING OF UTILITIES

WHEREAS, the City has previously established that it is the policy of the City of Kirkland that utility service lines should be placed underground whenever feasible; and

WHEREAS, when a significant portion of a roadway is being replaced, installed or substantially repaired, it is usually feasible and reasonable to underground any utility lines as part of the project; and

WHEREAS, an Environmental Checklist was prepared and a Final Declaration of Non-Significance was made pursuant to the requirements of the State Environmental Policy Act (RCW 43.21C; WAC 197-10; and Kirkland Ordinance No. 2473, as amended). This Checklist and Declaration of Non-Significance were available to City Council, and City Council considered this information in taking final action on this recommendation;

BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. Whenever the roadway within a public right-of-way is being installed, replaced, or substantially repaired, all power, communication and similar utility service lines within that right-of-way shall be placed underground as part of the roadway project. This undergrounding of utility lines shall be done consistent with the standards of the serving utility and the City.

Section 2. The Director of the Department of Public Services may, in whole or in part, waive the undergrounding requirement of Section 1 of this Ordinance if he or she determines that it is unreasonable or impractical to underground utility lines in a particular right-of-way.

Section 3. If any section, subsection, sentence, clause, phrase, part or portion of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.


Section 4. This Ordinance shall be in force and take effect five (5) days from and after its passage by the City Council and publication as required by law.

PASSED BY THE KIRKLAND CITY COUNCIL IN REGULAR MEETING on the 8th day of December, 1980.


SIGNED IN AUTHENTICATION thereof on the 8th day of December, 1980.

  
MAYOR

ATTEST:

  
Director of Administration and Finance  
(ex officio City Clerk)

APPROVED AS TO FORM:

  
City Attorney

In/3190A