

ORDINANCE O-4699

AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING ORDINANCE O-4633 GRANTING SEATTLE SMSA LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS ("GRANTEE") A NON-EXCLUSIVE COMMUNICATIONS MASTER USE PERMIT FOR SMALL CELL WIRELESS COMMUNICATIONS FACILITIES, AND REPLACING EXHIBIT A OF O-4633 TO EXPAND GRANTEE'S PERMIT TO ENCOMPASS ALL RIGHTS-OF-WAY WITHIN THE CITY LIMITS OF KIRKLAND.

1 WHEREAS, the City of Kirkland, Washington ("City") granted  
2 Seattle SMSA Limited Partnership d/b/a Verizon Wireless ("Grantee") the  
3 right to install, operate, and maintain a small cell wireless  
4 communications system within the public rights-of-way of the City  
5 pursuant to Ordinance O-4633 adopted January 2, 2018; and  
6

7 WHEREAS, Exhibit A to O-4633 limited the Permit Area to a small  
8 portion of the City where Verizon was initially deploying small cell  
9 wireless communications; and  
10

11 WHEREAS, the City desires to amend O-4633 to revise and  
12 expand the definition of the Permit Area to encompass all rights-of-way  
13 within the entire City limits.  
14

15 NOW, THEREFORE, the City Council of the City of Kirkland do  
16 ordain as follows:  
17

18 Section 1.  
19

20 **1. Permit Area.** Exhibit A attached to O-4633 is hereby  
21 deleted in its entirety and replaced with **Exhibit A-1** attached to this  
22 ordinance and incorporated herein by reference. It is the intent of the  
23 City and Grantee that the Permit Area, as defined in O-4633, shall  
24 encompass all rights-of-way within the City limits of the City of Kirkland.  
25

26 **2. Other Terms and Conditions Remain.** In the event  
27 of any inconsistencies between O-4633 and this ordinance, which shall  
28 be known as the "First Amendment," the terms of this First Amendment  
29 shall control. Except as expressly set forth in this First Amendment, O-  
30 4633 otherwise is unmodified and remains in full force and effect.  
31

32 Section 2. If any provision of this ordinance or its application to  
33 any person or circumstance is held invalid, the remainder of the  
34 ordinance or the application of the provision to other persons or  
35 circumstances is not affected.

36 Section 3. This ordinance shall be in force and effect five days  
37 from and after its passage by the Kirkland City Council and publication  
38 pursuant to Section 1.08.017, Kirkland Municipal Code in the summary  
39 form attached to the original of this ordinance and by this reference  
40 approved by the City Council.


41 Passed by majority vote of the Kirkland City Council in open  
42 meeting this 17th day of September, 2019.

43  
44 Signed in authentication thereof this 17th day of September,  
45 2019.

  
Penny Sweet, Mayor

Attest:

Publication Date: September 23, 2019

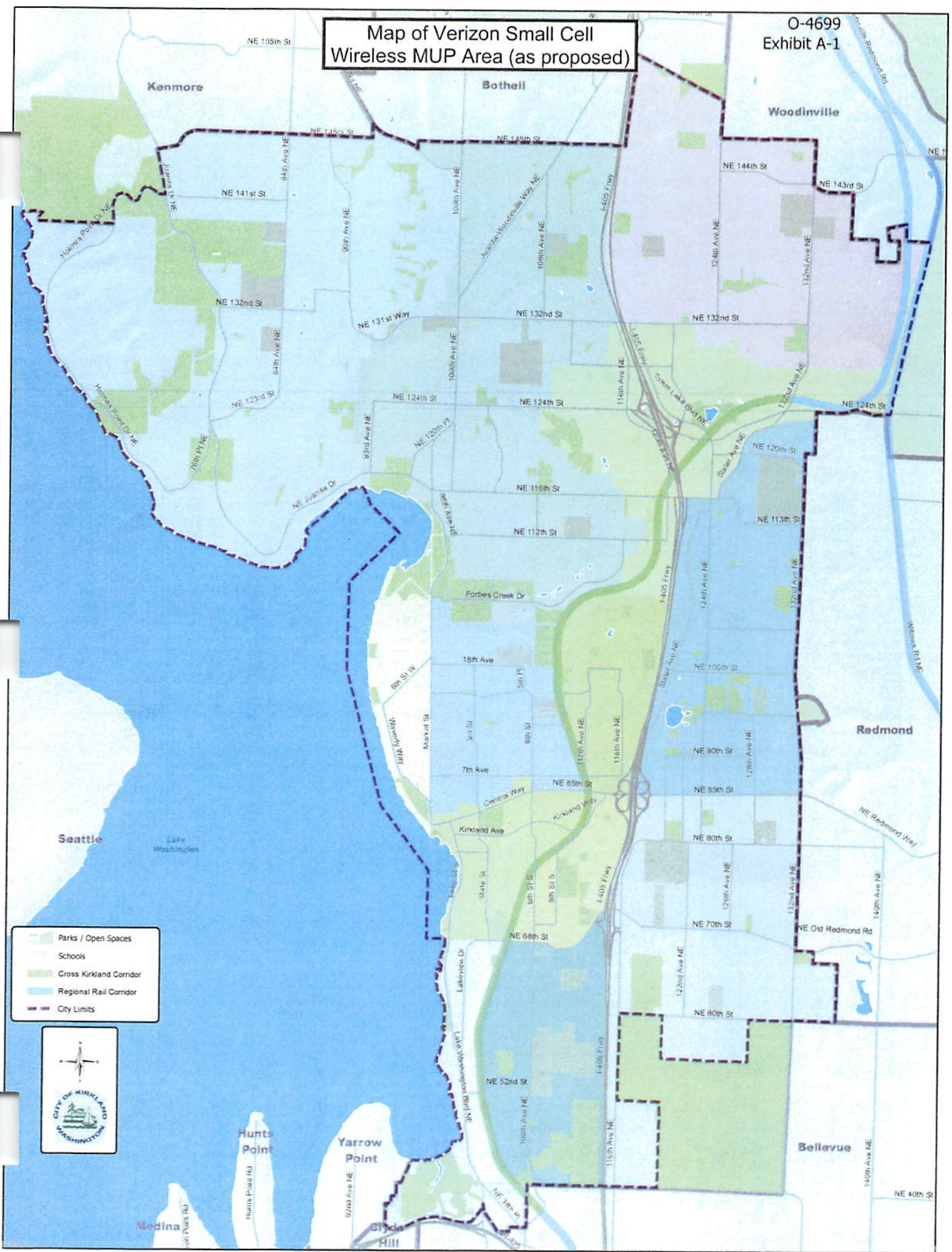
  
Kathi Anderson, City Clerk

Approved as to Form:

  
Kevin Raymond, City Attorney

# Map of Verizon Small Cell Wireless MUP Area (as proposed)

O-4699  
Exhibit A-1





PUBLICATION SUMMARY  
OF ORDINANCE NO. O-4699

AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING ORDINANCE O-4633 GRANTING SEATTLE SMSA LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS ("GRANTEE") A NON-EXCLUSIVE COMMUNICATIONS MASTER USE PERMIT FOR SMALL CELL WIRELESS COMMUNICATIONS FACILITIES, AND REPLACING EXHIBIT A OF O-4633 TO EXPAND GRANTEE'S PERMIT TO ENCOMPASS ALL RIGHTS-OF-WAY WITHIN THE CITY LIMITS OF KIRKLAND.

SECTION 1. Updates the permit area for the Verizon Wireless Non-exclusive Communications Master Use Permit to encompass all rights-of-way within the city limits of Kirkland.

SECTION 2. Provides a severability clause for the ordinance.

SECTION 3. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the 17th day of September, 2019.

I certify that the foregoing is a summary of Ordinance O-4699 approved by the Kirkland City Council for summary publication.

  
\_\_\_\_\_  
Kathi Anderson, City Clerk

Publication Date: September 23, 2019