

ORDINANCE NO. 1600

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON relating to Underground Utilities Requirements and amending DMMC 12.25.060 to allow new aerial installations where there are existing aerial facilities.

WHEREAS, there is a request that the City Council consider a modification to the undergrounding utility requirements for new secondary electrical or communication facilities, and

WHEREAS, the Public Safety and Transportation Committee met and discussed the potential amendment on June 5, 2014, and

WHEREAS, the City Council provided direction to staff to prepare said amendment on June 5, 2014; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES ORDAINS AS FOLLOWS:

Sec. 1. DMMC 12.25.060 and section 78 of Ordinance No. 1578 are amended to read as follows:

Additions, rebuilds, and replacements. Additions, rebuilds, and replacements may be constructed aerially in accordance with this section:

(1) Additions of new secondary electrical or communication facilities may be constructed aerially where existing facilities are aerial except at locations where, with the exception of 115 kv transition lines, utilities have already been undergrounded.

(2) When there is casualty damage to an overhead service system, the facilities may be restored aerially.

(3) Installation of additional conductors to provide one three-phase circuit is allowed on existing aerial facilities.

(4) Reconductoring for routine maintenance which does not constitute a major rebuild is allowed on existing aerial facilities. Routine maintenance is also allowed on existing aerial facilities for pole replacements and replacement of miscellaneous hardware.

(5) No work permitted by this subsection shall result in an increase in the number of utility poles.

Sec. 2. Severability - Construction.

(1) If a section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

(2) If the provisions of this Ordinance are found to be inconsistent with other provisions of the Des Moines Municipal Code, this Ordinance is deemed to control.

Sec. 3. Effective date. This Ordinance shall take effect and be in full force thirty (30) days after its passage and approval in accordance with law.

PASSED BY the City Council of the City of Des Moines this 26th day of June, 2014 and signed in authentication thereof this 26th day of June, 2014.


MAYOR

APPROVED AS TO FORM:


Assistant City Attorney

ATTEST:


City Clerk

Published: July 2, 2014

Effective Date: July 26, 2014

LEGAL NOTICE
SUMMARY OF ADOPTED ORDINANCE
CITY OF DES MOINES

ORDINANCE NO. 1600, Adopted June 26, 2014.

DESCRIPTION OF MAIN POINTS OF THE ORDINANCE:

This Ordinance relates to Underground Utilities Requirements and amends DMMC 12.25.060 to allow new aerial installations where there are existing aerial facilities.

The full text of the Ordinance will be mailed without cost upon request.

Bonnie Wilkins
City Clerk

Published: July 2, 2014