



## Snohomish County Council

**Committee:** Public Works  
**ECAF:** 2021- 0293  
**Proposal:** Ord. 21-032

**Analyst:** Deb Evison Bell  
**Date:** 06/07/21

### **Consideration:**

The proposal relates to the requirements for utilities in County right-of-way and amends Chapters 2.02, 13.10, 13.50, 13.60, 13.80 and 13.110 of the Snohomish County Code.

### **Background:**

Snohomish County has an interest in regulating the granting of County right-of-way use to franchises and other permits for public and private utilities, and to ensure the compatibility of such franchises and permits with the public interest, sound engineering, design standards, and the County's regulation of County roads.

The proposed amendments seek to clarify existing requirements and conditions for the following utility permits: C10 (utility)<sup>1</sup>, D7 (blanket utility permit)<sup>2</sup>, and D8 (major utility permit)<sup>3</sup>.

This includes establishing a process for expired franchises undergoing renewal, allowing utility work to continue during the renewal process, an update to the definition for cable television franchise fee that is consistent with the Federal Cable Communications Act, and require quarterly payments rather than an annual payment, to assist with budget forecasting.

This will also provide processes for franchise dispute resolution and franchise revocation, which includes the right for a utility appeal to the Hearing Examiner and a final determination on revocation by the County Council. Stakeholder comment was sought and incorporated into the proposed code changes.

### **Current Proposal:**

Proposed Ordinance 21-032 would amend Chapters 2.02, 13.10, 13.50, 13.60, 13.80 and 13.110 of the Snohomish County Code, relating to the requirements for utilities in County Right-of-Way and to clarify conditions and requirements for utilities in County Right-of-Way and provide administrative processes for dispute resolution, revocation, and expired franchises undergoing renewal.

**2021 Budget:** NA

**Future Budget Impacts:** NA

**Handling:** NORMAL

**Approved-as-to-form:** YES

**Risk Management:** APPROVE.

---

<sup>1</sup> [ch. 13.50 Type C Transactions | Snohomish County Code](#)

<sup>2</sup> [ch. 13.60 Type D Transactions | Snohomish County Code](#)

<sup>3</sup> [ch. 13.60 Type D Transactions | Snohomish County Code](#)

**Executive Recommendation:** APPROVE.

**Analysis**

The proposed ordinance would allow for a clarification of language and clarification of process within the Snohomish County Code for utilities that seek to appeal administrative functions.

**Attachments:** NONE.

**Amendments:** NONE.

**Request:**

Move to GLS on June 23, 2021 to consider scheduling a public hearing. Following receipt of public testimony, consider taking action on proposed Ordinance 21-032 or provide other direction to staff.