



# Snohomish County Council

## Legislation Text

File #: 2021-0293, Version: 1

### Executive/Council Action Form (ECAF)

**ITEM TITLE:**

Ordinance No. 21-032, RELATING TO THE REQUIREMENTS FOR UTILITIES IN COUNTY RIGHT-OF-WAY AND AMENDING CHAPTERS 2.02, 13.10, 13.50, 13.60, 13.80 AND 13.110 OF THE SNOHOMISH COUNTY CODE.

**DEPARTMENT:** Public Works

**ORIGINATOR:** Brook Chesterfield

**EXECUTIVE RECOMMENDATION:** Approve

**PURPOSE:** Amending Title 2 SCC & Title 13 SCC to clarify conditions and requirements for utilities in the right of way and provide administrative processes for dispute resolution, revocation, and expired franchises undergoing renewal.

**BACKGROUND:** County has an interest in regulating the granting of County right-of-way 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. These amendments seek to: Clarify requirements and conditions for C10, D7, and D8 utility permits; Establish a process for expired franchises undergoing renewal, allowing utility work to continue during the renewal process; Update the definition for cable television franchise fee, consistent with the federal Cable Communications Act, and require quarterly payments rather than an annual payment, to assist with budget forecasting; and Provide processes for franchise dispute resolution and franchise revocation, which include the right for utility appeal to the Hearing Examiner and a final determination on revocation by the County Council.

**FISCAL IMPLICATIONS:**

EXPEND: FUND, AGY, ORG, ACTY, OBJ, AU	CURRENT YR	2ND YR	1ST 6 YRS
<b>TOTAL</b>			

REVENUE: FUND, AGY, ORG, REV, SOURCE	CURRENT YR	2ND YR	1ST 6 YRS

<b>TOTAL</b>			

**DEPARTMENT FISCAL IMPACT NOTES:** n/a

**CONTRACT INFORMATION:**

ORIGINAL \_\_\_\_\_ CONTRACT# \_\_\_\_\_ AMOUNT \_\_\_\_\_  
AMENDMENT \_\_\_\_\_ CONTRACT# \_\_\_\_\_ AMOUNT \_\_\_\_\_

**Contract Period**

ORIGINAL START \_\_\_\_\_ END \_\_\_\_\_  
AMENDMENT START \_\_\_\_\_ END \_\_\_\_\_

**OTHER DEPARTMENTAL REVIEW/COMMENTS:** Approved as to form by PA (J.Kraft-Klehm)  
Approved/Reviewed by Finance & Risk