



Snohomish County Council

Legislation Details (With Text)

File #: 2021-0293 **Version:** 1

Type: Ordinance **Status:** Approved

File created: 5/11/2021 **In control:** Public Hearings

On agenda: 7/21/2021 **Final action:** 7/21/2021

Title: Ordinance 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

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance 21-032, 2. Staff Report, 3. Hearing Packet, 4. Utilities Code Amendments Stakeholder Comment Response (updated 5/25), 5. Utilities Code Amendments June2021 Presentation, 6. Ordinance Introduction Sheet, 7. Notice of Introduction, 8. Notice of Enactment, 9. Affidavits of Publication, 10. Distribution Sheet

Date	Ver.	Action By	Action	Result
7/21/2021	1	Public Hearings	Approved	Pass
6/23/2021	1	General Legislative Session	Set time/date for Public Hearing	
6/15/2021	1	Public Works Committee	Moved to Administrative Matters	
5/17/2021	1	Administrative Session	Assigned	

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
TOTAL			

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

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