

ORDINANCE NO. 1548

AN ORDINANCE OF THE CITY OF RUSTON, WASHINGTON, RELATING TO THE INSTALLATION OF ELECTRICAL CABLES, AMENDING SECTIONS 18.04.010 AND 18.05.020 OF THE RUSTON MUNICIPAL CODE TO REQUIRE ELECTRICAL UNDERGROUNDING AND TO INCORPORATE THE PROVISIONS OF NEWLY ADOPTED CHAPTER 14.10 OF THE RUSTON MUNICIPAL CODE, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Ruston is the electrical provider within the city limits of Ruston;
and

WHEREAS, when electrical distribution lines are placed underground, electrical reliability is increased as the lines cannot be taken down in windstorms, by tree growth, or by auto accidents that may occur on city rights of way; and

WHEREAS, when electrical and communications lines are removed from city rights of way, utility poles are also removed which makes the city streets and sidewalks less cluttered, more aesthetically pleasing, and safer as automobiles, other vehicles, bicycles, and pedestrians will not collide with utility poles; and

WHEREAS, the public enjoys views of Puget Sound and mountain views from many public places within the City of Ruston; and

WHEREAS, overhead wires and facilities can obstruct these views and are unsightly; and

WHEREAS, the City Council desires that any new facilities be installed underground in accordance with the conditions and procedures in this Ordinance, so that eventually, all overhead wires and facilities will be moved underground to make power more reliable, make City rights of way safer and less cluttered, and to provide better aesthetics throughout the City; and

WHEREAS, in the alternative, the City Council recognizes that it also has the power to convert existing overhead electric and communication facilities to underground facilities pursuant to RCW 35.43.190 where such facilities are owned or operated by the City, or to create a local improvement district in an area where such facilities are not owned by the City, pursuant to chapter 35.96 RCW; and

WHEREAS, every utility pole located in the City limits of Ruston is owned by the City of Ruston; and

WHEREAS, the City has long sought to transition all of its electrical distribution lines from aerial to underground; and

WHEREAS, the Council recently adopted a new Chapter 14.10 to the Ruston Municipal Code to require certain utilities and communications lines to be placed underground; and

WHEREAS, RMC 18.04.010 was adopted in 1979 and RMC 18.05.020 was adopted in 1994 and neither of these sections have been updated since adoption; and

WHEREAS, on July 6, 2021, the City Council held first reading of this Ordinance; and

WHEREAS, on July 20, 2021, the City Council held second reading of this Ordinance, and after due consideration, the City Council adopted this Ordinance during its regular meeting at second reading; **NOW, THEREFORE**

THE CITY COUNCIL OF THE CITY OF RUSTON HEREBY ORDAINS AS FOLLOWS:

Section 1. Section 18.04.010 of the Ruston Municipal Code is hereby amended to read as follows:

18.04.010 Installation — Expense.

Whenever new electrical service is added to a property, the installation from the meter to the private property, including any structure or structures shall be placed

underground. The installation of underground cable service from the transformer to the point of use shall be at the expense of the user of the service. Such installation expense shall be deemed to include all labor and material costs incidental to the furnishing of such service, including but not limited to trench excavation, backfill, conduit, ~~and~~ cable, secondary service box (SSB) and underground secondary multi-tap connections.

Section 2. Section 18.05.020 of the Ruston Municipal Code is hereby amended to read as follows:

18.05.020 Underground connections.

All new or upgraded electrical service shall be installed underground from the meter to the private property, including connecting to any structure or structures in accordance with RMC 18.04.010 and Chapter 14.10 RMC. The For such underground connections, the following provisions shall apply to those services described in Section 18.05.010 ~~which include underground connections:~~

- (a) The customer will be required to provide and install conduit and service wire between the meter and point of connection to the ~~Town~~City's electrical system. The customer may, if reasonably necessary to provide service, be required to provide and install a secondary service box ~~service splice~~ ~~tax~~. All such materials and installation will meet ~~Town~~City specifications.
- (b) Trenching on public rights-of-way will be performed by a licensed and bonded contractor. The customer will be responsible for right-of-way restoration. This work will require a Street Excavation Permit in accordance with Chapter 14.08 RMC.
- (c) The service line between the meter and service splice box shall be the property of the customer. The ~~Town~~City shall not be responsible for its maintenance or repair.
- (d) All work on the City rights of way shall meet the current adopted public works standards.

Section 3. Severability. If any section, sentence, clause, or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 4. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 5. Effective Date. This Ordinance shall be effective five days after publication as provided by law.

ADOPTED by the City Council of the City of Ruston and attested by the City Clerk in authentication of such passage on this 20th day of July, 2021.

APPROVED by the Mayor this 20th day of July, 2021.



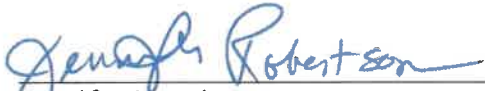
Bruce Hopkins, Mayor

ATTEST/AUTHENTICATED:



Judy Grams
City Clerk

APPROVED AS TO FORM:



Jennifer S. Robertson
City Attorney's Office

FILED WITH THE CITY CLERK: _____
PASSED BY THE CITY COUNCIL: _____
PUBLISHED: _____
EFFECTIVE DATE: _____
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