

ORDINANCE NO. 641 -O

AN ORDINANCE CLARIFYING THE PROCEDURES FOR UNDERGROUNDING UTILITIES AND AMENDING CHAPTER 12.11 OF THE TROUTDALE MUNICIPAL CODE

WHEREAS, the City has had a long-standing policy to underground utilities for new development and to underground existing overhead utility lines during major reconstruction; and

WHEREAS, a developer in the City has recently questioned the City's policy regarding the funding of such undergrounding; and

WHEREAS, a review of the existing Troutdale Municipal Code was found to be unclear concerning this issue; and

WHEREAS, the City desires to clarify these issues so that owners of property being developed pay to underground utilities for new development and pay to convert from overhead to underground for major reconstruction, including half-street improvements.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROUTDALE

That Chapter 12.11 of the Troutdale Municipal Code is amended to read as shown on Attachment A, which is made a part hereof.

YEAS: 7
NAYS: 0
ABSTAINED: 0


Paul A. Thibodeau, Mayor

Dated: 2-29-96


George Martinez, City Recorder

Adopted: 2-27-96

CHAPTER 12.11

UNDERGROUNDING UTILITIES

SECTIONS:

- 12.11.010 Title
- 12.11.020 Applicability
- 12.11.030 Policy

12.11.010 Title

This chapter of the Troutdale Municipal Code shall be entitled "Undergrounding Utilities".

12.11.020 Applicability

This chapter shall apply to all utilities within the City.

12.11.030 Policy

- A. All utilities necessary to serve new development shall be installed underground. The costs for undergrounding in excess of any costs paid for by the utility company shall be paid by the owner of the property subject to the new development.
- B. Existing overhead utilities on private property must be converted to underground whenever there is reconstruction, renovation, expansion, or modification of any facility on that property requiring a new electrical service entrance panel or an upgrade to an existing service entrance panel. An exception may be allowed when the undergrounding is technically infeasible or inconsistent with adjacent properties. The Director of Community Development shall determine whether or not such undergrounding is technically feasible. The costs for undergrounding in excess of any costs paid by the utility company shall be paid by the owner of the property being reconstructed, renovated, expanded, or modified.
- C. Existing overhead utilities within or adjacent to a public right-of-way must be converted to underground whenever there is a major reconstruction of a public street unless it is technically or economically infeasible to do so. The Director of Public Works shall determine whether or not such undergrounding is technically or economically feasible. When the road reconstruction is initiated by the City, County, or State, the costs for undergrounding in excess of any costs

paid by the utility company shall be paid by the City, either directly or by assessing the benefitting property owners, for undergrounding within the public right-of-way, and by the affected property owner for undergrounding on private property. When road reconstruction, including but not limited to half street improvements, is required as part of a development, the costs for undergrounding in excess of any costs paid by the utility company shall be paid by the owner of the property being developed.