

March 8, 1995

Introduced by: LOUISE MILLER

MW:CLT:jl

Proposed No: 95 - 210

ORDINANCE NO. **11790**

AN ORDINANCE authorizing the issuance of emergency right-of-way construction permits to unfranchised utilities, adding a new section to K.C.C. 14.44, amending Ordinance 1710, Section 2 and K.C.C. 6.27.020 and amending Ordinance 1709, Section 1, as amended, and K.C.C. 13.24.010.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

NEW SECTION. SECTION 1. There is added to K.C.C. 14.44 a new section to read as follows:

A. The property services division may issue right-of-way construction permits to unfranchised utilities under the following circumstances:

1. When the Seattle-King County department of public health has determined that the proposed work is necessary to address a public health hazard; or

2. When the roads division, department of public works has determined that the proposed work is necessary to address actual or imminent damage to county right-of-way or to address hazards to users of county right-of-way.

B. No right-of-way construction permit for sewer or water facility construction shall be issued unless the property services division receives a determination from the chair of the utilities technical review committee that the proposed work is consistent with the King County comprehensive plan codified in K.C.C. Title 20 and with K.C.C. 13.24.132, 13.24.134, 13.24.138 and 13.24.140.

C. The permit applicant shall be required to meet all conditions of this chapter, except K.C.C. 14.44.050(A) and (C).

1 SECTION 2. Ordinance 1710, Section 2 and K.C.C.6.27.020 is
2 hereby amended as follows:

3 Franchises Required. Persons or private or municipal
4 corporations are required, in accordance with RCW 36.55.010, to
5 obtain a right-of-way franchise approved by the King County
6 council in order to use the right-of-way of county roads for
7 the construction and maintenance of waterworks, gas pipes,
8 telephone, telegraph and electric lines, sewers, cable TV and
9 petroleum products and any other such public and private
10 utilities. This requirement may be waived for the purpose of
11 issuing emergency right-of-way construction permits as provided
12 in Section 1.

13 SECTION 3. Ordinance 1709, Section 1, as amended and K.C.C.
14 13.24.010 is hereby amended to read as follows:

15 Water and Sewer Comprehensive Plans. A. Comprehensive
16 plans for water and sewer districts or any other public or
17 private entities which distribute or obtain water or provide
18 sewer collection or treatment in unincorporated areas of King
19 County, Washington, shall be adopted by each such entity and
20 approved by the King County council as a prerequisite for the
21 following:

- 22 1. Operating in unincorporated King County;
23 2. Approval of annexation proposals;
24 3. Granting of new right-of-way franchises and right-of-
25 way franchise renewals; and
26 4. Approval or right-of-way construction permits, except
27 for emergency permits issued under the provisions of Section 1.

1 B. Except as provided in K.C.C. 13.24.015, such plans
2 shall be reviewed by the utilities technical review committee
3 established by this chapter prior to submission to the King
4 County council for approval.

5 C. Only plans consistent with the King County
6 comprehensive plan adopted in K.C.C. Title 20 shall be
7 approved. The infrastructure system for the existing service
8 area, and for the are anticipated to be served in the future
9 shall be based on the adopted Land Use Map of the
10 comprehensive plan.

11 INTRODUCED AND READ for the first time this 17th
12 day of April, 1995.

13 PASSED by a vote of 12 to 0 this 15th day of
14 May, 1995.

15 KING COUNTY COUNCIL
16 KING COUNTY, WASHINGTON

17 Kent Pullen
18 Chair

19 ATTEST:

20 Janet Masno
21 Deputy Clerk of the Council

22 APPROVED this 25th day of May, 1995.

23 Doug Leche
24 King County Executive

25 Attachments: