

CITY OF CRYSTAL

ORDINANCE #2015 - 07

AN ORDINANCE RELATING TO THE PLACEMENT OF UTILITY FACILITIES;
AMENDING SECTION 802.45 OF THE CRYSTAL CITY CODE

The City of Crystal ordains:

Section 1. Chapter VIII, Section 802.45, Subd. 1 of the Crystal city code is hereby amended by deleting the ~~stricken~~ material and adding the double underlined material as follows:

802.45. Location of facilities. Subdivision 1. Undergrounding. ~~Unless Except as provided in this section, and as may otherwise be permitted by an existing franchise, new the construction and or installation of new facilities, and the replacement or relocation of old facilities, shall be done underground or contained within buildings or other structures in conformity with applicable codes. The undergrounding of new facilities shall not be required if the facilities are placed on existing utility poles to serve existing residential, commercial, or industrial structures. The placement of new facilities, or the replacement of existing facilities, to extend utility service from the right-of-way into individual properties to serve new or substantially renovated structures shall be undergrounded. Notwithstanding the foregoing, the city may expressly allow, as part of the permit it issues, the placement of additional above ground facilities or the replacement of existing above ground facilities without requiring undergrounding if the utility poles on which the facilities are to be placed are: (1) existing; (2) located within a residential zoning district; (3) are entirely or primarily in the rear yards of residential parcels; (4) are not within an alley; and (5) are not adjacent to open areas such as parks or streets so that the facilities are readily visible to the public. A permit may allow the placement of above ground facilities even if the utility poles cross a street, provided the street is classified as a local street on the Metropolitan Council's Functional Classification Map and the utility poles otherwise satisfy the criteria in this section to allow above ground facilities. The permit may allow the placement of additional utility poles between the existing utility poles if needed to support the additional facilities. The city, in the exercise of its reasonable discretion, shall determine whether a request to place above ground facilities satisfies the criteria in this section and is otherwise consistent with the intent of this chapter. All other new or replacement facilities must be undergrounded.~~ If the facilities for which the utility poles were originally erected are undergrounded, all other facilities on the utility poles must also be undergrounded.

Section 2. This ordinance is effective upon adoption and 30 days after publication.

First Reading: September 1, 2015
Second Reading: September 16, 2015
Council Adoption: September 16, 2015
Publication: September 24, 2015
Effective Date: October 24, 2015

BY THE CITY COUNCIL



Jim Adams, Mayor

ATTEST:



Christina Serres, City Clerk