

CITY OF CRYSTAL

ORDINANCE #2015 - 04

AN ORDINANCE RELATING TO THE PLACEMENT OF UTILITY FACILITIES;
AMENDING SECTIONS 802.19 AND 802.45 OF THE CRYSTAL CITY CODE

The City of Crystal ordains:

Section 1. Chapter VIII, Section 802.19, Subd. 2 of the Crystal city code is hereby amended by adding the double underlined material as follows:

Subd. 2. Conditions. The director may impose reasonable conditions, in accordance with the law, upon the issuance of the permit and the performance of the applicant thereunder to protect the health, safety and welfare or to protect the right-of-way and its current use. The director may require, as a condition of the permit, the applicant to provide notice of its project to properties within a certain area surrounding the project site.

Section 2. Chapter VIII, Section 802.45, Subd. 1 of the Crystal city code is hereby amended by adding the double underlined material as follows:

802.45. Location of facilities. Subdivision 1. Undergrounding. Unless otherwise permitted by an existing franchise, new construction and installation of new facilities and replacement or relocation of old facilities shall be done underground or contained within buildings or other structures in conformity with applicable codes. 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 3. This ordinance is effective upon adoption and 30 days after publication.

First Reading: June 2, 2015
Second Reading: June 16, 2015
Council Adoption: June 16, 2015
Publication: June 25, 2015
Effective Date: July 25, 2015

BY THE CITY COUNCIL



Jim Adams, Mayor

ATTEST:



Christina Serres, City Clerk