Ordinance No. 3694
(Amending or Repealing Ordinances)

CFN=0274 – Franchises
Passed 6/1/04
Cable Television Conduits – Street Crossing & Mainline Distrib. Conduits

Amends Ord. 2376

The date ["Beginning July 1, 1998"] has led to confusion. This date will be deleted from cover sheets of ordinance/resolution revision pages. This cover sheet will be deleted on electronic pages only, no other deletions or changes have been made to the document – 6/21/2012.
AN ORDINANCE of the City Council of the City of Kent, Washington, amending Section 7.10.040 of the Kent City Code in order to clarify the intent of the original ordinance with respect to the installation of cable television street crossing conduits and mainline distribution conduits.

RECITALS

A. On November 15, 1982, the City Council enacted Ordinance No. 2376 which added a new section to the Kent City Code ("KCC") regarding the installation of underground cable television conduits. This ordinance is now codified as KCC 7.10.040.

B. The intent of the ordinance was to encourage the provision of cable television service, which was a new technology at that time, to City residents. The ordinance required that developers and/or landowners install street crossing conduits and mainline distribution conduits at the same time they installed sewer or water utilities. This requirement precluded the necessity for disturbing streets, sidewalks, and alleyways when cable television service connections are extended to serve any residential development or building site.
C. Now that technology is established and because the existing franchise requires the cable operator to provide nearly all City residents with cable availability, it is inconsistent with the franchise and no longer necessary to impose this requirement on landowners and developers.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

ORDINANCE

SECTION 1. – Amendment. Section 7.10.040 of the Kent City Code is amended as follows:

Sec. 7.10.040. Cable television conduit.

A. When a developer and/or landowner extends sewer or water utility mains to serve a residential development or building site, cable television conduits shall be laid underground at the same time as those other utilities. This will include only the conduits that are to be installed between the curb lines within any City street. This will include only the conduits needed for street crossings and for mainline distribution of cable television throughout the development. All conduit ends shall be brought to each individual property line bowed to the final ground elevation and capped.

B. The developer and/or landowner shall absorb the cost required to install such cable television conduit to each individual property line which includes conduit, trenching, and easements.

BC. This section will preclude the necessity for disturbing streets, sidewalks, and alleyways when cable television service connections are extended to serve any residential development or building site.
All conduits shall be installed according to cable television specifications and with the approval of the director of public works or his designee.

SECTION 2. – Severability. If any one or more section, subsections, or sentences of this ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

SECTION 3. – Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its passage as provided by law.

JIM WHITE, MAYOR

ATTEST:

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

TOM BRUBAKER, CITY ATTORNEY

I hereby certify that this is a true copy of Ordinance No. 3694 passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

BRENDA JACOBER
CITY CLERK