

**ORDINANCE NO. 958**

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON  
AMENDING SHORELINE MUNICIPAL SECTION 13.20.040 TO EXCEPT  
TEMPORARY CONSTRUCTION POWER FROM THE CITY'S  
UNDERGROUNDING REQUIREMENT**

WHEREAS, the City of Shoreline is a non-charter optional municipal code city as provided in Title 35A RCW, incorporated under the laws of the state of Washington, and planning pursuant to the Growth Management Act, Title 36.70C RCW; and

WHEREAS, SMC Chapter 13.20 sets forth the City's undergrounding requirements for electrical facilities with exceptions to these requirements set forth in SMC 13.20.040; and

WHEREAS, on February 28, 2022, the City Council discussed the provision of electrical power within certain areas of the City and the need to provide clarity within the SMC allowing for temporary construction power to be aboveground; and

WHEREAS, on March 7, 2022, the City Council discussed this Ordinance and waived Council Rule of Procedure 3.6 to take action on this Ordinance;

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF  
SHORELINE, WASHINGTON DO ORDAIN AS FOLLOWS:**

**Section 1. Amendment.** SMC 13.20.040, Exceptions, is amended to add a new Subsection E, which shall read as follows:

This chapter shall not apply to the following facilities:

- A. Freestanding streetlights;
- B. Police and fire sirens, or any similar municipal equipment, including traffic control equipment;
- C. Electrical carrying facilities of a voltage over 35-kV (this exemption only applies to physical structures strictly necessary for the conveyance of an electrical charge in excess of 35-kV. Other facilities attached to these structures are not exempted by this subsection);
- D. Communication facilities relying on a carrying source other than that which could be installed aboveground on poles and which cannot function underground as designed including, but not limited to, antennas and satellite communication systems;

E. Temporary electrical service for construction in the MUR-70' Zone. Overhead temporary electrical service for construction is a means of supplying electricity aboveground during the construction phase of a project. Overhead temporary electrical service for construction is allowed in the MUR-70' zoning district and this temporary electrical service must be disconnected and removed when the project is connected to permanent electrical service or prior to Certificate of Occupancy, whichever occurs sooner.

**Section 2. Corrections by City Clerk or Code Reviser.** Upon approval of the City Attorney, the City Clerk and/or the Code Reviser are authorized to make necessary corrections to this Ordinance, including the corrections of scrivener or clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering and references.

**Section 3. Severability.** Should any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to any person or situation.

**Section 4. Publication and Effective Date.** A summary of this Ordinance consisting of the title shall be published in the official newspaper. This Ordinance shall take effect five days after publication.


**PASSED BY THE CITY COUNCIL ON MARCH 7, 2022**



Mayor Keith Scully

ATTEST:

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Jessica Simulcik Smith  
City Clerk  
\_\_\_\_\_  
Julie Ainsworth-Taylor, Assistant City Attorney  
on behalf of Margaret King, City Attorney

Date of Publication: March 10, 2022

Effective Date: March 15, 2022