

ORDINANCE NO. 137

AN ORDINANCE OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, EXTENDING FOR TWO ADDITIONAL MONTHS THROUGH MAY 21, 1997 THE MORATORIUM ON THE ACCEPTANCE OF APPLICATIONS FOR AND ISSUANCE OF ANY PERMIT OR APPROVAL FOR TELECOMMUNICATIONS FACILITIES, WHICH WAS ADOPTED IN ORDINANCE NO. 123

WHEREAS in Ordinance No. 123 the City Council adopted a moratorium on the acceptance of applications for and issuance of any permit or approval of telecommunications facilities; and

WHEREAS in Ordinance No. 132 the City Council adopted findings of fact which supported imposition of a moratorium; and

WHEREAS, while considering Ordinance no. 132 the City Council was advised about a staff work plan which entailed hiring consultants to assist in preparing draft ordinances; holding public meetings with industry and the community regarding telecommunications facilities which likely will be located within University Place within the next several years; consideration by the Planning Commission of zoning related issues impacting telecommunications facilities; and consideration by the City Council of public work standards, utility accommodations policies, a model telecommunications ordinance and a wireless siting ordinance; and

WHEREAS, the City has embarked on reviewing proposed ordinances and standards but is unable to move to final adoption by March 17, which is the expiration date of the present moratorium; NOW THEREFORE,

Section 1. Extending the Moratorium Adopted in Ordinance No. 123 by Two Additional Months through May 21, 1997. The moratorium adopted in Ordinance No. 123 shall be extended for two additional months through May 21, 1997.

Section 2. Adoption of a Work Plan. Based on testimony at a public hearing on March 10, 1997, the City Council adopts the following work plan to complete review and consideration of the ordinances and standards which will better enable the City to comply with the Telecommunications Act of 1996:

(A) A second public meeting of staff and the public and telecommunications providers shall occur on March 18, 1997. The purpose of this meeting is to allow the public and industry to respond to proposed ordinances and regulations of the City.

(B) The City Council shall hold an Executive Session to consider privileged attorney-client communications about telecommunications.

(C) The City Council shall hold a study session on April 7, 1997, to consider proposed telecommunications and wireless ordinances, and City Public Works and Utility accommodations policies.

(D) The Planning Commission shall hold a public hearing on April 8 regarding proposed changes to the zoning code relating to wireless facilities.

(E) The City Council and Planning Commission shall hold such additional hearings or meetings as may be necessary to complete review of proposed standards and ordinances such that can be considered for passage by the City Council by May 5, 1997.

Section 3. Severability.


(1) If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

(2) If the provisions of this ordinance are found to be inconsistent with other provisions of the City of University Place Municipal Code, this ordinance is deemed to control.

Section 4. Publication and Effective Date.

A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall be effective five (5) days after its publication.

PASSED BY THE CITY COUNCIL ON MARCH 10, 1997.

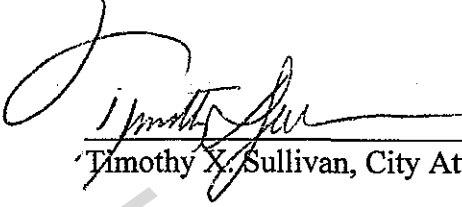


Linda Bird, Mayor

ATTEST:


Susan Matthew, City Clerk

APPROVED AS TO FORM:



Timothy X. Sullivan, City Attorney

Published: 3/12/97
Effective Date: 3/17/97