

NON-CODE

**CITY OF REDMOND
ORDINANCE NO. 2896**

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, ADOPTING FINDINGS AND EXTENDING THE INTERIM TELECOMMUNICATIONS REGULATIONS ADOPTED BY ORDINANCE NOS. 2842 AND 2849, FOR AN ADDITIONAL SIX MONTHS COMMENCING OCTOBER 18, 2017 AND ENDING APRIL 18, 2018; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE

WHEREAS, the City Council of the City of Redmond passed Ordinance No. 2842 on September 20, 2016, establishing interim regulations for telecommunications facilities; and

WHEREAS, after holding the public hearing on the interim regulations required by RCW 36.70A.390 and RCW 35A.63.220, the City Council repealed Ordinance 2842 and adopted revised interim regulations by the passage of Ordinance No. 2849 on October 18, 2016; and

WHEREAS, the City Council of City of Redmond passed Ordinance No. 2877, after holding the public hearing granting a six month extension of Ordinance No. 2849 commencing April 18, 2017 and ending on October 18, 2017; and

WHEREAS, the City Planning Department continues to work diligently on permanent telecommunications regulations, but requires additional time to complete the regulations and to bring

them through the development regulation amendment process for consideration and potential adoption; and

WHEREAS, the Redmond City Council held a public hearing on extending the interim regulations on October 17, 2017, and considered all testimony received at the public hearing; and

WHEREAS, the circumstances which led to the adoption of Ordinance Nos. 2842, 2849, and 2877 continue to exist today and will continue to exist until permanent telecommunications regulations are adopted by the City Council to address the issues that led to the interim regulations; and

WHEREAS, the Redmond City Council therefore finds that it is prudent to extend the moratorium adopted by Ordinance No. 2849 and extended by Ordinance No. 2877 until April 18, 2018, in order to complete the permanent regulations and/or to decide whether an additional extension of the interim regulations is necessary.

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

Section 1. Findings. The recitals of this ordinance and the findings adopted in Ordinance Nos. 2842, 2849, and 2877 are hereby adopted as the Redmond City Council's findings justifying extension of the interim telecommunications regulations for an additional six months.

Section 2. Regulations Extended. The interim regulations established by Ordinance No. 2849 are hereby extended for an additional six months past the current expiration date established by Ordinance No. 2877, i.e., through April 18, 2018. The interim regulations shall expire on April 18, 2018, unless the City Council, in its sole discretion, (a) decides to formally extend the interim regulations for additional periods by ordinance or (b) has passed such permanent regulations as are deemed necessary by the City Council prior to said date.

Section 3. Work Plan. The work plan set forth on Exhibit 1 attached to this ordinance and incorporated herein by this reference as if set forth in full is hereby adopted. The work plan is a guideline for completing the action items necessary to adopt permanent telecommunications regulations and specific dates and process steps may be adjusted administratively as the need arises as long as substance of the action items remains the same.

Section 4. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court, board or tribunal of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 5. Effective Date. For the reasons set forth in the recitals above, the City Council hereby finds and declares that an emergency exists that makes this ordinance necessary for the immediate protection of the public health, public safety, public property, or public peace. Failure of the City to correct conflicts between its code and the preemptive federal "shot clocks" could deprive the City of its regulatory authority regarding certain facilities. This ordinance shall therefore become effective immediately upon passage as provided in RCW 35A.12.130.

ADOPTED by the Redmond City Council this 17th day of October,
2017.

CITY OF REDMOND

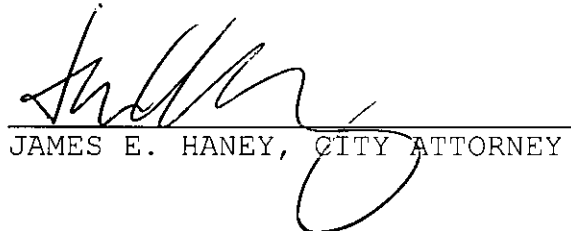

JOHN MARCHIONE, MAYOR

ATTEST:


MICHELLE M. HART, CITY CLERK

(SEAL)

APPROVED AS TO FORM:


JAMES E. HANEY, CITY ATTORNEY

FILED WITH THE CITY CLERK:	October 3, 2017
PASSED BY THE CITY COUNCIL:	October 17, 2017
SIGNED BY THE MAYOR:	October 20, 2017
PUBLISHED:	October 23, 2017
EFFECTIVE DATE:	October 17, 2017
ORDINANCE NO. 2896	

YES: BIRNEY, CARSON, MARGESON, MYERS, PADHYE, SHUTZ, STILIN

