

Codified 4/13/98  
AS

## ORDINANCE NO. 1746

(An Ordinance Amending Chapter 12.05  
to allow postponing undergrounding of utilities)

WHEREAS, Chapter 12.05 of the Hood River Municipal code contains provisions relating to the undergrounding of utilities;

WHEREAS, the provisions of chapter 12.05 are not consistent with each other;

WHEREAS, the City intends to underground all utilities within City limits, but does not foresee completing a project of that size for many years; and

WHEREAS, if certain projects are undertaken in an area in which the City does not have any current plans to underground utilities, the owner should not be required to bear the expense of undergrounding until the City does provide for undergrounding;

NOW, THEREFORE, THE CITY OF HOOD RIVER ORDAINS AS FOLLOWS:

Chapter 12.05 is amended as follows:

12.05.010 Expense of conversion to underground utilities. All water, gas, wastewater pipes and electrical lines or wires, including communications and cable television, shall be placed underground at the owner's expense:

- (A) In any new residential construction as feasible;
- (B) In any new construction containing ~~four~~ **three** or more living units in any one structure or group housing development;
- (C) Any remodeling of an existing structure which shall have as a result thereof ~~four~~ **three** or more living units in any one structure;
- (D) ~~In Any~~ remodeling of a now existing structure containing ~~four~~ **three** or more living units, when the cost of remodeling is more than ~~fifty percent~~ **50%** of the ~~assessed true cash real market value for tax purposes~~ of the structure prior to remodeling.
- (E) ~~In Any~~ new commercial or industrial development or existing commercial or industrial development undergoing remodeling when the cost of such is more than 50% of the ~~assessed true real market value for tax purposes~~ of the structure prior to remodeling.

**For purposes of this Section 12.05.010, all costs incurred for improvement of the property in the preceding two years shall be included in determining the cost of remodeling.**

12.05.020 Construction Standards. All underground facilities shall be constructed in compliance with the standards of the applicable utility, the rules and regulations of the City Engineer, the rules and regulations of the Public Utility commissioner of Oregon, and the laws of the state relating to the installation and safety of underground lines, plant systems, equipment and apparatus.

**(A) The affected utility may elect, if approved by the City Engineer, to connect underground service to feed from an existing overhead pole until such time as the street, block or part affected area or portion thereof is converted to underground service.**

12.05.030 Permit--Required Plans. **Except with respect to residential structures containing three or fewer living units in any one structure, No building permit shall be issued except for single family residence in residential zones R-1, R-2 and R-3, for the construction of any new buildings or structure or for the remodeling of any existing building or structure the estimated cost of which remodeling exceeds one-half 50% of its assessed real market value for tax purposes prior to remodeling,** unless the application contains plans for and the applicant agrees to construct equipment and related facilities to accept and receive all lines which will serve the building or structure, including those required for all electric, power, communication and cable television services, from an underground type of service. In determining the costs of remodeling all costs incurred for improvement of the property in the preceding two years shall be included.

12.05.040 Requirement for service entrance. Residential Remodels.

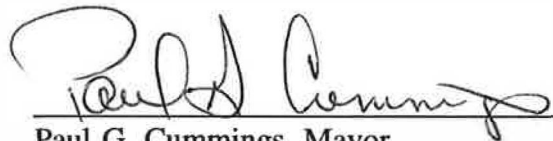
**(A) Except as provided in (B) below, It is unlawful for any person to install or any remodel of an existing structure containing three or fewer living units which includes the installation or make any major alteration in the existing communication, cable television, electric service and/or power service entrance to any structure affected by this chapter shall provide without provision for the receiving of the service to the service entrance from an underground facility to be maintained in a street area by the affected utility. The affected utility may elect, if approved by the City Engineer, to connect underground service to feed from an existing overhead pole line until such time as the street block or part thereof is converted to underground service.**

**(B) The affected property owner may elect, if approved by the City Engineer, not to provide for the receiving of service as provided to install a convertible meter at the service entrance in lieu of the requirement in subsection 12.05.040(A) above. If the**


**property owner so elects, the property owner shall execute an agreement to comply with the requirements of subsection 12.05.040(A) at such time as the ~~street block or part~~ affected area or portion thereof is converted to underground service.**

Read for the first time: Feb 9, 1998.

Read for the second time and passed: Feb 23, 1998, to become effective thirty (30) days hence.

  
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Paul G. Cummings, Mayor

ATTEST:

  
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Anita R. Smith, City Recorder