

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING CHAPTER 12.14 OF THE REDMOND MUNICIPAL CODE RELATING TO TELECOMMUNICATIONS IN ORDER TO UPDATE THE SAME IN ACCORD WITH RECENT CHANGES IN FEDERAL LAW AND IN ORDER TO IMPROVE THE SAME OPERATIONALLY; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Redmond enacted a comprehensive telecommunications ordinance in 1997 in response to the Federal Telecommunications Act of 1996, and

WHEREAS, in 2003 the City Council adopted Ordinance No. 2175, substantially revising Chapter 12.14 of the Redmond Municipal Code in order to comply with the state telecommunications statute Chapter 35.99 of the Revised Code of Washington as well as federal court decisions interpreting the Federal Telecommunications Act of 1996, and

WHEREAS, in 2018 the City Council adopted Ordinance No. 2925, substantially revising Chapter 12.14 of the Redmond Municipal Code in order to accommodate small cell technology, enable their deployment within the City's rights of way, and

WHEREAS, the Federal Communications Commission (FCC) recently adopted a Declaratory Ruling, Order and Regulation (FCC Order 18-133), which imposes limitations on local municipalities, including the City of Redmond, regarding processing and review of all permits associated with the deployment of small cell facilities which therefore requires modification to Chapter 12.14 of the Redmond Municipal Code; and

WHEREAS, the City Council has reviewed the proposed revisions and has determined to approve the revisions attached to this ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDMOND,
WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. **Classification.** This ordinance is of a general and permanent nature and shall become a party of the City Code.

Section 2. **Amendment of Chapter.** Chapter 12.14 of the Redmond Municipal Code entitled, “Telecommunications,” is hereby amended to read as follows:

Insert text

Section 2. **Severability.** If any section, sentence, clause, or phrase of this ordinance or any code provision adopted or amended herein should be held to be invalid or unconstitutional by a court 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 or any such code provision.

Section 3. **Effective Date.** This ordinance, being an administrative action, is not subject to referendum and shall take effect five days after publication or publication of a summary thereof, in the city’s official newspaper, or as otherwise provided by law.

APPROVED:
/s/ MAYOR

ATTEST/AUTHENTICATED:
/s/ CITY CLERK

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:
/s/ CITY ATTORNEY, JAMES E. HANEY

FILED WITH THE CITY CLERK:

PASSED BY THE CITY COUNCIL:
SIGNED BY THE MAYOR: PUBLISHED:
EFFECTIVE DATE:

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