

ORDINANCE NO. ORD-10-0023

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH AMENDING THE LONG BEACH
MUNICIPAL CODE BY AMENDING SECTION 15.48.020
RELATING TO UNDERGROUNDING OF UTILITIES

The City Council of the City of Long Beach ordains as follows:

Section 1. Section 15.48.020 of the Long Beach Municipal Code is
hereby amended to read as follows:

15.48.020 Hearing.

A. The Council may from time to time call public hearings to ascertain whether it is in the general public interest to replace utility poles, overhead wires and associated overhead structures within designated areas of the City with the underground installation of wires and facilities for distributing or supplying electric, communication, or similar or associated service. The criteria for making the determination shall be one or more of the following:

1. Such undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities; or
2. The street or road or right-of-way is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic; or
3. The street or road or right-of-way adjoins or passes through a civic area or public recreation area or an area of unusual scenic interest to the general public; or
4. The City has received a request for the undergrounding

1 of utilities from property owners, such request conforms to PUC
2 requirements for Rule 20B projects, and the City Council has established a
3 utility district to provide funding for the undergrounding.

4 B. The City Clerk shall notify by mail all affected property owners
5 as shown on the last equalized assessment roll and utilities concerned of
6 the time and place of the hearings, at least ten (10) days prior to the date
7 thereof. Each such hearing shall be open to the public and may be
8 continued from time to time. At each such hearing all persons interested
9 shall be given an opportunity to be heard. The decision of the Council shall
10 be final and conclusive.

11 C. Prior to holding the public hearing, the City Engineer or his or
12 her designee shall prepare a report for submission at the hearing. The
13 report shall contain, among other information, a description of the project, a
14 date by which property owners must complete all electric facility changes on
15 the premises necessary to receive service from the underground facilities of
16 the utility, and an estimate of the time required to complete the underground
17 installation and removal of poles, overhead wires, and associated overhead
18 structures.

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20 Section 2. The City Clerk shall certify to the passage of this ordinance by
21 the City Council and cause it to be posted in three (3) conspicuous places in the City of
22 Long Beach, and it shall take effect on the thirty-first (31st) day after it is approved by the
23 Mayor.

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I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of August 10, 2010, by the following vote:

Ayes: Councilmembers: Garcia, Lowenthal, DeLong, Schipske, Andrews, Johnson, Gabelich, Neal.

Noes: Councilmembers: None.

Absent: Councilmembers: O'Donnell.


City Clerk

Approved: 8/12/10
(Date)


Mayor

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
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