

**CITY OF GRANITE FALLS
Granite Falls, Washington**

ORDINANCE NO. 991-2020

AN ORDINANCE OF THE CITY OF GRANITE FALLS, WASHINGTON ADOPTING A NEW CHAPTER 10.64 PAVEMENT PRESERVATION TO THE GRANITE FALLS MUNICIPAL CODE TO PROTECT CITY STREETS AND REDUCE THE CUTTING OF PAVEMENT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Granite Falls owns and maintains a transportation system that is vital to the City's economic vitality and the City's quality of life, and is an important function for the public.; and

WHEREAS, the City wishes to minimize pavement degradation, maintain the structural integrity of streets, maintain a smooth riding surface for all modes of transportation, and limit negative aesthetics; and

WHEREAS, trenching for utilities can seriously impact the condition and useful life of City streets; and

WHEREAS, by establishing a no cut pavement preservation regimen, owners, contractors and/or utility companies with proposed projects that require trenching/excavation within public roadways can more effectively coordinate and plan the installation of utilities with minimal impact to the condition and useful life of the City streets;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GRANITE FALLS DO ORDAIN AS FOLLOWS:

Section 1. A new Chapter 10.64 entitled "Pavement Preservation" is hereby added to the Granite Falls Municipal Code which shall read as follows:

**Chapter 10.64
PAVEMENT PRESERVATION**

10.64.010 Compliance Required for Permit

10.64.020 Project Review - Notice

10.64.010 Compliance Required for Permit.

(1) The City Manager or designee shall grant a permit for work within a city street only upon compliance with terms and conditions set forth in this section.

(2) No permit shall be issued under this chapter for work which requires cutting or excavating the paved surface of any street, alley, or other public place for a period of 5 years from the completion of construction, resurfacing, or reconstruction of that surface; except that this no cut pavement prohibition shall not apply to:

(A) Emergency repairs that could not have been anticipated or are necessary for the protection of public health and safety, or

(B) Work necessary to ensure continued service delivery to an agency's or utility's existing customer as deemed necessary by the City, or

(C) Work that is mandated by City, State, or Federal legislation, or

(D) Work deemed by the City Manager or designee to be in the best interests of the City; or

(E) Work for new utility services where no other reasonable means of providing service to a building or project exists.

Any approved work that requires cutting or excavating of the paved surface of any street, alley, or other public place within the five-year period from the completion of resurfacing or reconstruction of that surface requires City consent, as a function of permit approval from the City; and if consent is given, the permittee must restore the pavement according to the most current City of Granite Falls Public Works/ Development Standards specifications for street patching and restoration. On a case by case basis, such restoration may require an overlay of a street segment as directed by the City.

10.64.020 Project Review – Notice.

(1) Within 30 business days of determining an application as technically complete, the City Manager or designee shall:

(A) Send a notice with copy of the application, or appropriate parts of the application, to each affected utility provider for review and comment including those responsible for determining compliance with state and federal requirements. The affected agencies shall have 15 business days to comment on the application. The agency is presumed to have no comment if comments are not received within this 15 business day period. The City Manager or designee shall grant an extension of time only if the application involves unusual circumstances.

Section 2. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

ORDINANCE X

GF-20-991 /Pavement Preservation

Section 3. Effective Date. This ordinance shall take effect and be in full force five days from and after its passage, approval and publication, as required by law.

ADOPTED by the City Council and APPROVED by the Mayor this 2nd day of September, 2020.

CITY OF GRANITE FALLS


Matthew Hartman, Mayor

ATTEST:


Darla Reese, City Clerk

APPROVED AS TO FORM:


Thom H. Graafstra, City Attorney

Date of Publication: Sept. 5, 2020
Effective Date: Sept. 9, 2020