

**AN ORDINANCE AMENDING ORDINANCE NO. 3149 AMENDING PARKVILLE MUNICIPAL CODE SECTION 515.140 TO INCLUDE PROVISIONS FOR UNDERGROUND UTILITIES**

WHEREAS, on December 6, 2022, the City of Parkville adopted Ordinance No. 3149 repealing and replacing Parkville Municipal Code Chapter 515 regarding right-of-way management; and

WHEREAS, the City desires to amend Chapter 515, Section 515.140 to include provisions for underground utilities.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PARKVILLE, MISSOURI, AS FOLLOWS:**

SECTION 1: Parkville Municipal Code Section 515.140 is hereby amended to create a new Subsection B to read as follows:

**Section 515.140 Permit conditions.**

- B. Except as otherwise provided in this Chapter, and as except as may be limited by the Federal Communications Commission (FCC), the Commission, or any other local, state or federal agency having jurisdiction over the ROW-User, all facilities shall be installed underground within designated easements by the service provider. The subdivider, developer or owner of any such area or portion thereof shall make the necessary arrangements for the installation of underground facilities. Such arrangements shall be made with the service provider. These provisions do not prevent the replacement of poles, overhead wires, and associated overhead structures on these lines when necessary for the purpose of maintaining the line or upgrading the capacity thereof; and shall not apply to any of the following uses:
1. All electrical power lines rated at or above "feeder" line class — a portion of an electrical circuit which provides power from a power substation and which has a rated capacity of 3,000 KVA or more.
  2. All telecable lines rated at or above "trunk" line class — a portion of a telecable systems line that is .750 inches in diameter.
  3. Existing poles, overhead wires, and associated overhead structures, when part of a continuous line, or services to individual properties from such existing overhead lines that are within a subdivision previously approved in accordance in conformance with existing regulations.
  4. Existing poles, overhead wires, and associated overhead structures, when part of a continuous line, or services to individual properties from such existing overhead lines that serve properties adjacent to but not within areas being subdivided.
  5. Any communication line which would otherwise be required by this Chapter to be underground that uses an overhead pole or structure exempted by this Chapter.
  6. Radio and television antennas.

7. Structures on corner lots, in streets and alleys, and on easements adjacent thereto, and in cases where electrical and communication wires cross a street or other district boundary from an area where overhead wires are not prohibited, may be connected to said overhead wires.
8. Overhead lines attached to the exterior surface of a building by means of a bracket or other fixture and extending from one location of the building to another location of the building or to an adjacent building without crossing a property line.
9. Poles used exclusively for street or area lighting or for traffic control facilities.
10. Service terminals, transformers, regulators, meters or other on- and above-ground appurtenances normally used with and as a part of an underground distribution system.

SECTION 3. Parkville Municipal Code Section 515.140 is further amended to revise the existing Subsection B to become Subsection C.

SECTION 4. Parkville Municipal Code Section 515.140 is further amended to revise the existing Subsection C to become Subsection D.

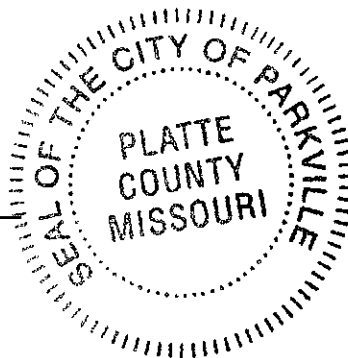
SECTION 5. Parkville Municipal Code Section 515.140 is further amended to revise the existing Subsection D to become Subsection E.

SECTION 6. This Ordinance shall be in full force and effect upon final passage and approval.

PASSED and APPROVED this 7<sup>th</sup> day of March 2023.

ATTEST:

Melissa McChesney  
City Clerk Melissa McChesney



Dean Katerndahl  
Mayor Dean Katerndahl