

7-1-82
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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3129

AN ORDINANCE regarding street use permits in connection with the use of airspace above public right of way; amending the Uniform Building Code; and adding a new section 23.10.132 to the Bellevue City Code.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. A new section 23.10.132 is hereby added to the Bellevue City Code, to read as follows:

23.10.132 Uniform Building Code Section 4401 amended - Street Permit for Use of Airspace Above Public Right-of-Way. Section 4401 of Chapter 44 of the Uniform Building Code is amended to read as follows:

Section 4401. No person shall use or occupy a street, alley or public sidewalk for the performance of work under a building permit except in the accordance with the provisions of this Chapter.

No person shall perform any work on any building or structure adjacent to a public way in general use by the public for pedestrian travel, unless the pedestrians are protected as specified in this Chapter.

No person shall perform any work in the airspace above any public street, sidewalk or other public right of way, including the movement of materials through such airspace by crane or other device, without first obtaining a permit from the Building Official. In issuing such a permit the Building Official may impose such conditions thereon as are determined to be necessary for the protection of persons and property.

Any material or structure temporarily occupying public property, including fences and sidewalks, shall be adequately lighted between sunset and sunrise.

Section 2. The City Council finds that the movement of materials by crane and other device through airspace above public streets, sidewalks and right of ways poses a potential danger to persons making use of such streets, sidewalks and right of ways and property located thereon, and that immediate measures should be taken to impose suitable controls on

7-1-82
8158E

persons desiring to make use of such airspace. The City Council further declares that this situation constitutes an emergency and that this ordinance is a public emergency ordinance necessary for the protection of public health, safety and property and shall be effective upon adoption.

PASSED by a majority plus one of the whole membership of the Council this 19th day of July, 1982.

(SEAL)



Roy A. Ferguson, Mayor

Approved as to form:

Linda M. Youngs, City Attorney



Richard Gidley, Assistant City Attorney

Attest:



Marie K. O'Connell, Acting City Clerk

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