

CITY OF FAIRFIELD

ORDINANCE NO. 2021-\_\_\_\_

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAIRFIELD  
AMENDING SECTION 7.5 OF FAIRFIELD MUNICIPAL CODE TO REQUIRE UNDERGROUNDING OF  
TRANSFORMERS EXCEPT WHERE IMPRACTICABLE

THE CITY COUNCIL OF THE CITY OF FAIRFIELD DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 7.5 "Required; exceptions," of Section 7.5 of Chapter 7, "Electricity," is hereby amended as follows, with additions in underline and deletions in strikethrough text:

**"7.5 Required; exceptions.**

Public or private utility, transmission or distribution lines, wires or cables, to be installed within and for the purpose of serving new subdivisions and all other undeveloped or redeveloped parcels of land shall be placed underground. All ground-mounted transformers shall be enclosed within subsurface vaults, if the transformers are located within Residential Zoning Districts as defined in Section 25.20, are appurtenant to underground facilities, and are located within a front or side street setback, except where the city engineer, in his or her sole discretion, determines that placement of a transformer in a subsurface vault is impracticable. There shall be no poles, overhead wires or associated overhead structures installed except poles without overhead wires used exclusively for street lighting, fire alarm boxes or other municipal equipment installed under supervision of and to the satisfaction of the director of public works. The subdivider or developer shall be held responsible to make the necessary arrangements with the utility companies. This section does not apply to:

- a. High voltage transmission lines transmitting electricity of fifty thousand volts or more.
- b. Equipment appurtenant to underground facilities, such as surface mounted transformers, pedestal mounted terminal boxes, and meter cabinets and concealed ducts.
- c. Wires attached to the exterior walls of a building for the purpose of interconnecting communication facilities within the building.

The City Council may grant special permission on such terms as it may deem appropriate for installation of the "streamlined" underground electrical distribution system, and in cases of emergency or extreme hardship without discrimination as to any person or utility company to erect, construct, install, maintain, use, or operate poles and overhead wires and associated overhead structures notwithstanding any other provisions of this article. Application for such special permission shall be filed with the director of public works and

shall be transmitted by the city manager to the council, along with any recommendations which he may have concerning the granting or denial of such application.”

**SECTION 2.** If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause or phrase not declared invalid or unconstitutional without regard to whether any portion of this Ordinance would be subsequently declared invalid or unconstitutional.

**SECTION 3.** Based on information presented by staff, the council has determined that this ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations, Title 14, Sections 15304(f) and 15303(d) because this ordinance shall apply to minor trenching and backfilling for utilities.

**SECTION 4.** This Ordinance shall be effective 30 days following its adoption by the council. A summary of this Ordinance shall, within fifteen (15) days after passage, be published in accordance with Section 36933 of the Government Code of the State of California with the names of the councilmembers voting for and against it.

**INTRODUCED** at a regular meeting of the City Council of the City of Fairfield on the 15<sup>th</sup> day of June, 2021, and

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2021, by the following vote:

AYES: Councilmembers: PRICE / BERTANI / MOY / PANDURO / TIMM / TONNESEN / VACCARO

NOES: Councilmembers: \_\_\_\_\_

ABSENT: Councilmembers: \_\_\_\_\_

ABSTAIN: Councilmembers: \_\_\_\_\_

\_\_\_\_\_  
MAYOR