



## MEMORANDUM

TO: Ordinance Revisions Committee  
FROM: Alexis DiLeo, Principal Planner, and Julia Shake, Associate Planner  
DATE: August 27, 2024  
SUBJECT: Ordinance Revisions related to the definition of Public Utilities

### Introduction

Staff presents ordinance revisions related to the definition of Public Utility as found in Section 5.37.2. The current definition conflates the public with private/franchise, utilities. Staff propose to refer all definitions of utilities to the Standard Specifications.

### Proposed Amendments

The proposed revisions to the definition of Public Utility, provided in Section 5.37.2.P are:

#### Public Utility

As provided in the Public Services Standard Specifications, "City owned, operated, and maintained utilities and their appurtenances including but not limited to systems for sanitary sewer, water, stormwater, communication conduit and cable, streetlights, and traffic control."

#### Franchise, or Private, Utility

~~Private enterprise with a franchise for providing a public service.~~ As provided in the Public Services Standard Specifications, "Utilities not owned by the City, including but not limited to privately owned natural gas and electric distribution systems, and telephone, communication, cable, and conduit systems and all appurtenances thereto."

### Comments

The proposed revisions seeks to correctly match public and private, or franchise, utilities with their ownership entities and consistently define each across codes, ordinances, and standards.