

ORDINANCE

#07 - 05

UTILITY ACCOMMODATIONS

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF DUBLIN, GEORGIA BY AMENDING CHAPTER TWENTY, "STREETS AND SIDEWALKS," BY ADDING A NEW ARTICLE VI, TO BE TITLED "UTILITY ACCOMODATIONS", HAVING ONE SECTION, TO BE NUMBERED SECTION 20-100 AND TITLED "UTILITY ACCOMMODATIONS" WHICH SECTION SHALL MAKE IT UNLAWFUL FOR ANY PERSON TO INSTALL ANY UTILITY ON ANY PROPERTY OF THE CITY OF DUBLIN WITHOUT A PERMIT, AND TO REPEAL ANY EXISTING ORDINANCES IN CONFLICT THEREWITH.

Whereas, the City of Dublin is responsible for managing its property in such a way as to best protect the health, safety, and general welfare of its citizens; and

Whereas, uncontrolled construction of utilities creates a hazard for the general public, City employees and anyone working on or using City property; and

Whereas the State of Georgia has adopted standards by which it regulates utility installations on its property and it is desirable to adopt uniform regulations;

THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Mayor and City Council of the City of Dublin, Georgia as follows:

1.

The Code of Ordinances of the City of Dublin, Georgia is hereby amended by adding to Chapter Twenty, "Streets And Sidewalks," a new Article VI, to be titled "Utility Accommodation", having two sections, to be numbered Section 20-100 titled "Permit Required" and Section 20-110 titled "Utility Accommodations Manual Adopted", as follows:

ARTICLE VI – UTILITY ACCOMODATION

Sec.20-100. Permit Required

- (a) It shall be unlawful for any person other than the City of Dublin to install, construct, maintain, renew, remove or relocate any utility in, on, along, over or under any property of the City of Dublin (including but not limited to rights-of-way, roads, sidewalks or easements), without a Utility Permit from the City of Dublin Engineering Department.
- (b) Utility Permits must be obtained from the City Engineer (or such other person as the City Manager may designate) upon application made on forms prescribed by the City of Dublin Engineering Department.
- (c) *Fees.* Fees shall be determined by the City Manager, subject to the approval by resolution of Dublin City Council. A fee schedule shall be available at the offices of the City Engineer and the City Clerk and open for public inspection.

Sec. 20 -110. Utility Accommodations Manual Adopted

- (a) The 1988 Utility Accommodation Policy and Standards Manual, including all references contained therein to codes, rules, regulations, schedules, forms and appendix items, except Appendix B (Permit Forms and Supporting Documents), promulgated by the State of Georgia Department of Transportation, as may be amended from time to time (referred to hereinafter as "The Manual"), is adopted by reference and incorporated in this article as if fully set forth herein, subject to the amendments and modifications contained in this article. A copy of the manual shall be maintained at the offices of the City Engineer or his designee and open for public inspection.

(b) References to State personnel, agencies, and fees shall be interpreted, where required, as meaning the City of Dublin municipal equivalents. The Manual, is amended in order to equate state definitions and provisions with their appropriate and equivalent city counterparts, such that a policy shall be implemented to reflect the intent and effect of the state right of way policy as it would logically apply to the City of Dublin's rights-of-way, including but not limited to the following:

(1) *Substitutions.*

Commissioner: City Manager.

Department: City of Dublin Engineering Department.

District engineer: City Engineer.

Highway: Any road that is part of the City road system.

State: City of Dublin.

State bridge and structural design engineer: City Engineer.

State highway (chief) engineer: City Engineer.

State utilities engineer: City Engineer.

Utility: All privately, publicly or cooperatively owned systems for producing, transmitting or distributing any form of matter or energy (including but not limited to: communication, data, information, telecommunication, cable television, power, electricity, light, heat, gas, oil, crude products, water/sewer, steam, fire and police signals, traffic control devices, and street lighting systems) and housing or conduit for any of the foregoing, which directly or indirectly serve the public or any part thereof. The term "utility " may also be used to refer to the owner, operator, provider, service, or any agent thereof, of any above-described utility or utility facility.

(c) The City Manager shall have the authority to interpret and administer The Manual. Ambiguities may be caused by the application to the City of Dublin rules that were written for regulation of matters governed by the Department of Transportation. Any person who is unsure as to how The Manual applies to a specific situation shall request in writing an interpretation from the City Manager.

2.

The following Sections of the Code of the City of Dublin are repealed:

(A) Sec. 20-21. Regulation of utility poles;

(B) Division 2 of Article VI of Title 20 and all sections contained therein (Sec. 20-65 through Sec. 20-70).

SO ORDAINED this 7th day of June 2007, by a vote of (6) FOR and (0) AGAINST.



PHIL BEST, MAYOR

ATTEST:



JØE KINARD, CITY CLERK

ORDINANCE
07 - 05