



## UTILITY AND PIPELINE PERMIT APPLICATION

**FEE: \$ \_\_\_\_\_ PLUS PROFESSIONAL FEES**

<b>1. UTILITY/PIPELINE PROJECT DATA:</b>
Project Name: _____
Project Origin: _____ Project Destination: _____
Pipeline Diameter: _____ Pipeline Commodity: _____
Normal Operating Pressure: _____ PSI; Max. Operation Pressure: _____ PSI; Max Allowable Temp. _____
<b>2. UTILITY/PIPELINE OWNER:</b>
Owner Name: _____
Owner Address: _____
Owner Phone: _____
Owner Email: _____
<b>3. PERMIT APPLICATION (Owner's Agent):</b>
Company Name: _____
Company Address: _____
Agent Name: _____ Agent Title: _____
Agent Phone: _____ Agent Email: _____
<b>4. UTILITY/PIPELINE CONTRACTOR:</b>
Company Name: _____
Company Address: _____
Primary Contact Name: _____ Primary Contact Title: _____
Primary Contact Phone: _____ Primary Contact Email: _____
<b>5. 24- HOURS EMERGENCY CONTACTS:</b>
Primary Contact Name: _____ Primary Contact Title: _____
Primary Contact Phone: _____ Primary Contact Email: _____
Secondary Contact Name: _____ Secondary Contact Title: _____

**6. APPLICATION CHECKLIST & SUPPORTING DOCUMENTATION**

- |   |                                      |
|---|--------------------------------------|
| <input type="checkbox"/> COMPLETE ITEMS 1-6 OF PERMIT APPLICATION | SCHEDULED START DATE OF CONSTRUCTION |
| <input type="checkbox"/> SUBMIT PROJECT PLANS (DIGITAL)           | _____                                |
| <input type="checkbox"/> ATTACH UTILITY/PIPELINE APPLICATION FEE  | ESTIMATE DURATION OF CONSTRUCTION    |
| <input type="checkbox"/> PRINT & SIGN APPLICANT NAME BELOW        | _____                                |

APPLICANT'S PRINTED NAME: \_\_\_\_\_

APPLICANT'S SIGNATURE: \_\_\_\_\_

STAFF USE ONLY
PERMIT APPROVED BY: _____
PERMIT NUMBER: _____
DATE OF APPROVAL: _____

ARTICLE 4.09  
**INSTALLATION OF UTILITY LINES, PIPELINES AND TELECOMMUNICATION  
TRANSMISSION PATHS**

**§ 4.09.001 Applicability.**

No person shall commence or continue with the construction, installation, or operation of facilities within the city except as provided by the ordinances of the city and the directives of the city council. All construction activity in the city will be in accordance with this article.

(Ordinance 1999-33-0060, sec. 1, adopted 12/13/99)

**§ 4.09.002 Construction permit.**

- (a) Permit applications are required for construction or installation of new, replacement or upgraded facilities in the city, whether aerial or underground, except as provided herein. The permit will be in the name of the person who will own the facilities to be constructed. The permit must be completed and signed by a representative of the owner of the facilities to be constructed. No permit is required by the utility companies when bringing service drops from the service line to the service location.
- (1) Emergency responses related to existing facilities may be undertaken without first obtaining a permit; however, the city should be notified in writing within two (2) business days of any construction related to an emergency response, including a reasonably detailed description of the work performed in the city and an updated map of any facilities that were relocated, if applicable.
- (2) The phrase "construction or installation of new, replacement or upgraded facilities" does not include repair or maintenance of existing facilities unless such repair or maintenance requires the following: the breaking of pavement, the closure of a nonresidential traffic lane, the installation of facilities necessary to initiate service to a customer's property, excavation or boring.
- (b) The permit shall state to whom it is issued, location of work, location of facilities, dates and time work is to take place and any other conditions set out by the mayor or his/her designee.
- (c) The person requesting a permit will provide the mayor or his/her designee with documentation describing:
  - (1) The proposed approximate location and route of all facilities to be constructed or installed and the applicant's plan for construction.
  - (2) Engineering is on a scale with a north arrow.
  - (3) Detail of the location which the applicant plans to use.
  - (4) Detail of all existing city utilities in relationship to the applicant's proposed route.

- (5) Detail of what the applicant proposes to install, such as number of interducts, valves, etc.
- (6) Details of plans to remove and replace asphalt or concrete in streets (include city standard construction details for pavement patching types A and/or B).
- (7) The drawing shall show the exact distance from the property line of current survey of properties affected, both public and private.
- (8) The drawing shall show all streets on and/or touching all properties affected.
- (9) The drawing shall show all buildings within 500 feet of placement of the subject line.
- (10) A drawing of any bores, trenches, handholes, manholes, switch gear, transformers, pedestals, etc., including depth.
- (11) Handhole and/or manhole typical of type of manholes and/or handholes the applicant plans to use or access.
- (12) Complete legend of drawings submitted by the applicant.
- (13) The name, address, and phone numbers of the contractor or subcontractor who will perform the actual construction, including the name and telephone number of an individual with the contractor who will be available at all times during construction. Such information, if known, shall be required prior to the commencement of any work.
- (14) The construction and installation methods to be employed for the protection of existing structures, fixtures, and facilities within or adjacent to the right-of-way, and the dates and times work will occur, all of which (methods, dates, times, etc.) are subject to approval of the mayor or his/her designee.
- (15) A statement that the requirements of this article are met.
- (16) The drawing shall show the total number of square feet incorporated into easements whenever not on public land.
- (17) The drawing shall show all existing subject lines and easements on affected private properties and the square footage of existing lines.
- (18) The drawing shall show the exact location of roads and/or rights-of-way and/or easements to be created to service subject lines and square footage to be utilized doing so.
- (19) The permit shall state what will be transported.
- (20) The permit shall state under what maximum pressure the fluid/gas will be transported at.
- (d) All construction and installation in the city shall be in accordance with the permit for the facilities. The mayor or his/her designee shall be provided access to the work and to such further information as he or she may reasonably require to ensure compliance with the permit.

- (e) A copy of the construction permit and approved engineering plans shall be maintained at the construction site and made available for inspection by the mayor or his/her designee at all times when construction or installation work is occurring.
- (f) All construction or installation work authorized by the permit must be started within six months of the date permitted or the permit will have to be reconsidered by an authorized agent of the city. Construction must be completed in within 90 days of the start of the project phase. If the work cannot be completed in the specified time periods, the permittee may request an extension from an authorized city agent. The agent will use his/her best effort to approve or disapprove a request for permit as soon as possible.
- (g) A copy of any permit or approval issued by federal or state authorities for work in federal or state right-of-way located in the city shall be provided, if requested by the mayor or his/her designee.
- (h) A request for a permit must be submitted at least five (5) working days before the proposed commencement of work in the request, unless waived by the mayor or his/her designee. Permit requests for large projects may require additional review time.
- (i) Requests for permits will be approved or disapproved by the mayor or his/her designee within a reasonable time of receiving all the information. The mayor or his/her designee will use his/her best efforts to will use [sic] to approve or disapprove a request for permit as soon as possible.
- (j) The mayor or the applicant can request a pre-construction meeting with the permittee and their construction contractor.
- (k) Permittees are required to contact Dig Test to determine where any existing lines are on the property, and have them properly marked before any work may begin.

(Ordinance 1999-33-0060, sec. 1(I), adopted 12/13/99)

**§ 4.09.003 Construction standards; permit fee.**

- (a) The city must be notified twenty-four (24) hours in advance that construction is ready to proceed by either the facility owner, their contractor or representative. At the time of notification, the right-of-way user will inform the city of the number (or other information) assigned from the one-call system.
- (b) All construction shall be in conformance with all city codes and standard details for construction and applicable local and federal laws. Backfilling shall meet or exceed federal Department of Transportation requirements.
- (c) Erosion control measures (e.g., silt fence) and advance warning signs, markers, cones and barricades must be in place before work begins, if applicable.
- (d) Barricades and signage shall be installed in accordance with the Texas Manual of Uniform Traffic Control Devices.

- (e) Permittees are responsible for the workmanship and any damages by its contractor or subcontractors. Permittees are responsible for maintaining job site and roadway cleanliness. A responsible representative of the permittee will be available to the city at all times during construction.
- (f) The permittee shall comply with city, state and federal guidelines applicable to the permittee.
- (g) The permittee, contractor, or subcontractor will notify the city immediately of any damages to other utilities, either city or privately owned.
- (h) It is the city's policy not to cut streets or sidewalks; however, when a street or sidewalk cut is required, prior approval must be obtained from the city and all requirements of the city shall be followed. Repair of all streets and sidewalk removals must be made promptly to avoid safety hazards to vehicle and pedestrian traffic.
- (i) Installation of facilities must not interfere with city utilities, in particular gravity dependent facilities.
- (j) New facilities must be installed to a depth in conformance with applicable state and federal guidelines. In the absence of state and federal guidelines, new facilities shall be installed to a depth approved by the city.
- (1) All buried lines carrying electricity or telecommunications shall be a minimum of 18 (eighteen) inches in depth.
- (2) All lines carrying water shall be a minimum of 18 (eighteen) inches on public and 12 (twelve) inches on private property.
- (3) All lines with pressure greater than 100 psi shall be a minimum of 36 inches in depth.
- (4) All aerial lines must be in compliance with the National Electrical Code.
- (k) All work shall be performed in compliance with city noise and nuisance code requirements.
- (l) The permittee will be responsible for verifying the location both horizontal and vertical of all facilities, whether by pot-holing, hand digging or other method approved by the city. Handholes or manholes will not be located in sidewalks, unless approved by the city.
- (m) Placement of all manholes and/or handholes must be approved in advance by the city. Handholes or manholes will not be located in sidewalks, unless approved by the city.
- (n) Locate flags shall not be removed from a location while facilities are being constructed.
- (o) Construction that requires pumping of water or mud shall be contained in accordance with federal and state law.

- (p) (1) The permit fee shall be computed on the gross value of the project as provided in the fee schedule in appendix A of this code.
- (2) Any water line of less than 1-1/2 inch diameter and less than 200 feet in length used for private purposes on private property shall be exempt.
- (3) Any liquid petroleum line smaller than 3/4 inch and fifty feet in length used for home heating and on private property with shut-off valve and regulator shall be exempt.
- (4) Permit fees are exempt for all utilities and companies holding effective franchise agreements.

(Ordinance 1999-33-0060, sec. 1(II), adopted 12/13/99; Ordinance adopting Code)

**§ 4.09.004 Conformance with public improvements.**

Whenever, by reasons of widening or straightening of streets, water or sewer line projects, or any other public works projects (e.g., install or improve storm drains, water lines, sewer lines, etc.), it shall be deemed necessary by the governing body of the city to remove, alter, change, adapt, or conform the underground or overhead facilities of a permittee to another part of the city, such alterations shall be made by the owner of the facilities at their expense, unless provided for by state law or an existing franchise until that franchise expires or is otherwise terminated, within the time limits set by the city working in conjunction with the owner or, if no time frame can be approved, within one hundred twenty (120) days from the day the notice was sent to make the alterations, unless a different schedule has been approved by the city. Facilities not moved after one hundred twenty (120) days or within the approved schedule, as it may be extended from time to time, shall be deemed abandoned after one hundred thirty (130) days' notice, except for force majeure.

(Ordinance 1999-33-0060, sec. 1(III), adopted 12/13/99)

**§ 4.09.005 Improperly installed or maintained facilities.**

- (a) Any person doing work in the city shall properly install, repair, upgrade and maintain facilities.
- (b) Facilities installed after the effective date of this article shall be considered to be improperly installed, repaired, upgraded or maintained if:
- (1) The installation, repairs, upgrade or maintenance endangers people;
  - (2) The facilities do not meet the applicable city codes;
  - (3) The facilities are not capable of being located using standard practices;
  - (4) The facilities are not located in the proper place at the time of construction in accordance with the directions provided by the city.

(Ordinance 1999-33-0060, sec. 1(IV), adopted 12/13/99)

**§ 4.09.006 Restoration of property.**

- (a) Users of the right-of-way shall restore property affected by construction of facilities to a condition that is equal to or better than the condition of the property prior to the performance of the work.
- (b) Restoration must be to the reasonable satisfaction of the city and the property owner. The restoration shall include, but not be limited to:
  - (1) Replacing all ground cover with the type of ground cover damaged during work or better either by sodding or seeding, as directed by the city;
  - (2) Installation of all manholes and handholes, as required;
  - (3) Backfilling all bore pits, potholes, trenches or any other holes shall be filled in daily, unless other state or federal safety requirements are followed;
  - (4) Leveling of all trenches and backhoe lines;
  - (5) Restoration of the excavation site to city specifications; and
  - (6) Restoration of all landscaping, ground cover, and sprinkler systems.
- (c) All locate flags and information signs shall be removed during the cleanup process by the permittee or his/her contractor at the completion of the work.
- (d) Restoration must be made in a timely manner as specified by approved public works schedules and to the satisfaction of the city. If restoration is not satisfactory and performed in a timely manner, all work in progress, except that related to the problem, including all work previously permitted but not completed, may be halted and a hold may be placed on any permit not approved until all restoration is complete.

(Ordinance 1999-33-0060, sec. 1(V), adopted 12/13/99)

**§ 4.09.007 Revocation or denial of permit.**

If any of the provisions of this article are not followed, the city may revoke a permit and impose a fine. The fine for failure to comply is \$200.00 for violation of this article and up to \$50.00 per day after the third day of violation until compliance. If a person has not followed the terms and conditions of this article in work done pursuant to a prior permit, new permits may be denied or additional terms required. Any request for permit which is considered unjustly wasteful of surface rights and/or unjustly damaging to the welfare, safety, and health of the city and/or its citizens may be refused by an authorized city agent.

(Ordinance 1999-33-0060, sec. 1(VII), adopted 12/13/99)



§ 4.09.008 **Appeals.**

Appeal from denial or revocation of permit or from the decision of the city shall be to the city council. Appeals shall be filed with the city secretary within fifteen (15) days.

(Ordinance 1999-33-0060, sec. 1(VIII), adopted 12/13/99)