



TO: Mayor and City Council

FROM: John McDonough, City Manager

DATE: December 31, 2015 for submission on the Agenda of the January 5, 2016 City Council Work Session

ITEM: Consideration of Amending Section 103-91 of the Sandy Springs Code of Ordinances.

Background

The Code currently requires the underground installation of new utilities in all new subdivisions when and when a road improvement/widening necessitates the relocation of the utilities. However, it is unclear in some cases regarding the underground installation of utilities when certain circumstances necessitate that the utilities be replaced or relocated. The current Code also does not address undergrounding of the utilities when a development project on a major street will not impact the utilities.

Discussion

The attached ordinance would require the underground installation of utilities that are replaced or relocated by a road widening, an extension of service, or other condition caused by subdivision or redevelopment. It would also require the underground installation of utilities adjacent to or located on any commercial or multi-family development site.

Alternatives

The Council could decide not to approve the Ordinance.

Attachments

Revised Ordinance Sect. 103-91

STATE OF GEORGIA
COUNTY OF FULTON

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SANDY
SPRINGS, GEORGIA, TO AMEND SECTION 103-91 OF THE CODE OF
ORDINANCES**

BE IT ORDAINED by the Mayor and City Council of the City of Sandy Springs, Georgia that the City's Code of Ordinances be amended by replacing Section 103-91 as follows:

SECTION I: Section 103-91 is amended as follows:

Sec. 103-91. - Placement of utilities.

(a) *Location of utilities.* All authorized public underground utilities shall be located within the right-of-way of a public street or within an easement designated for such use. Within public street right-of-way, placement of the various authorized utilities (power, gas, cable TV, water and sewer) shall conform to the specific locations designated for such use by the city, as illustrated in the standard drawings.

(b) *Private utilities within the right-of-way.* No other underground utilities, such as private lawn sprinkler systems, yard lighting, etc., shall be installed within a public right-of-way or easement except by authorization of the public works department. Such authorization, if issued, shall require the applicant to assume all repair costs of the applicant's facilities should they be damaged during the course of installation, maintenance or repair of any of the public utilities authorized to occupy said right-of-way or easement.

(c) *Underground installation of new utilities.* Within all new subdivisions utility systems, including water, sewerage, gas, telephone, cable television and electric, along with component parts, structures, appendages and materials, shall be installed underground in a manner approved by the applicable utility provider and in accordance with all city ordinances. Aboveground utility systems will not be permitted, except where certain appurtenances and accessories must be installed above ground for servicing.

(d) *Underground relocation of existing utilities.* Any development project requiring permitting by the city shall be required to relocate overhead utilities on the property or in the right of way adjacent to the property, if any. Such utilities shall be relocated underground in a manner approved by the applicable utility provider and in accordance with all city ordinances. This subsection (d) shall not apply to the construction of a single family home.

(e) *Service from existing overhead utilities.* Lots that abut existing easements or public rights-of-way where overhead utility supply lines and service connections have previously been installed may be supplied with service from those overhead lines, but the service connections from the

overhead lines shall be installed underground. Should a road widening or an extension of service, or other such condition occur as a result of the subdivision or development of property and necessitate the replacement or relocation of such utilities, such replacements or relocation shall be underground.

(f) *Compliance with other regulations.* Any utility work required in conjunction with an authorized land disturbance permit that must be completed within the right-of-way, a city easement or on other city property shall comply with the requirements of any city ordinance or policy regarding the installation of utilities on said property. Any installations performed within the state owned right-of-way or property shall comply with any applicable rules, regulation and guidelines developed for that use by the state.

(g) *Utilities located outside of the right-of-way.* When, in the course of development, it becomes necessary to construct utilities outside of the right-of-way said development shall conform to this and other applicable ordinances and regulations. Any permanent or temporary easements required for the construction shall be obtained in accordance with this chapter. The easement area shall be returned to a condition that is equal to or better than the condition that existed prior to construction.

(h) *Utilities crossing building setbacks, zoning buffers and stream buffers.* All utility lines/connections are permitted only to cross building setbacks zoning buffers and stream buffers within 25 degrees of perpendicular. This is to include, but is not limited to water lines, sewer lines and electric lines not under the jurisdiction of the Public Service Commission or the Federal Energy Regulatory Commission.

SECTION II: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

PASSED AND APPROVED the 5th day of January, 2016.

CITY OF SANDY SPRINGS, GEORGIA

By: _____

Russell K. Paul, Mayor

Attest:

Michael Casey, City Clerk

(SEAL)