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# CITY OF SACRAMENTO

April 17, 1984

## DEPARTMENT OF PUBLIC WORKS

Engineering and Transportation Division  
915 I Street - Room 300  
Sacramento, California 95814

CITY MANAGER'S OFFICE  
**RECEIVED**  
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	Telephones (916)
Civil Engineering	449-5281
Electrical Engineering	449-5287
Architecture	449-5144
Construction	449-5281
Real Estate	449-5626
Traffic Engineering	449-5307
Parking	449-5354
Street Maintenance	449-5236

City Council  
Sacramento, California

Honorable Members In Session:

**SUBJECT:** Addition of Section 38.40 to the City Code and Adoption of A fee Schedule to accommodate the processing of Excavation Permits for Cable T. V. and Private Parties.

**SUMMARY:**

Changes in the City Code will allow the proper regulation of the Cable T.V. franchisee and private enterprises requiring excavation in City rights-of way. A fee schedule must also be adopted to cover the City's expenses in regulating Cable T.V. facility construction.

**BACKGROUND:**

Chapter 38, Article III, of the City Code regulates the issuance of excavation permits for work within City streets. The present Ordinance is primarily for work done by Public Utilities. These Utilities are partners with the City in the existing infrastructure network service (U.S.A.), accustomed to City requirements, maintain acceptable records and drawings and, by and large, are performing in accordance with the proposed code additions. The existing Public utilities. (Gas, Electrical, Phone, Etc.), are basically already in place and only need permits for additions and replacements. Cable T.V, however, is about to start building a whole new system throughout the City and County.

The proposed Addition to the City Code will provide the necessary control required to properly regulate the installation and maintenance of facilities to be constructed by the Cable T. V franchisee and other non-public utility entities.

It is also necessary to adopt a fee schedule to cover City costs in regulating Cable T. V. facility construction.

FOR  
PASSED FOR  
PUBLICATION  
& CONTINUED  
TO 4-24-84

**APPROVED**  
BY THE CITY COUNCIL

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FINANCIAL

The proposed permit fee for Cable T.V. construction will be in the form of monthly charges based on actual manpower, equipment and indirect costs. This will provide for the collection of all City costs associated with Engineering, review and inspection of the Cable T. V. System.

All other Encroachment/Excavation permits will continue to cost \$120.00 as at present with additional charges assessed when City forces pave over utility trenches.

RECOMMENDATION

The Department of Public Works recommends the proposed Ordinance and accompanying Resolution be adopted to insure the proper regulation of excavations in the City rights-of-way.

Respectfully submitted,

*John F. Varozza*  
JOHN F. VAROZZA  
Director of Public Works

Recommendation Approved:

*Walter J. Slupe*  
Walter J. Slupe  
City Manager

April 17, 1984  
Council District Various

JFV:ah:yg  
Attachments

# ORDINANCE NO. 84-034

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

APRIL 17, 1984

AN ORDINANCE ADDING SECTION 38.40 TO THE SACRAMENTO CITY CODE RELATING TO EXCAVATION/ENCROACHMENT PERMITS

APPROVED BY THE CITY COUNCIL

APR 17 1984

OFFICE OF THE CITY CLERK

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO AS FOLLOWS:

SECTION 1.

APPROVED BY THE CITY COUNCIL

Section 38.40 is hereby added to the Sacramento City Code read as follows:

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Sec. 38.40 Additional Requirements for Cable T.V. Franchisee, Private Parties and Non-Public Utilities.

OFFICE OF THE CITY CLERK

(a) Cable T.V. franchisee shall construct facilities in accordance with the Cable System Construction Guidelines which have been approved by the Cable T.V. Commission and shall be responsible for pavement restoration unless otherwise specified in the permit.

(b) Authorized installations shall, upon demand of the Director of Public Works, be immediately relocated or lowered to avoid potential conflicts. All expenses incurred in relocating, lowering lines, potholing or marking of facilities to determine their exact location after the original installation shall be paid for by the permittee. In case any part of the work referred to in this article is not completed within a time accept to the City, the Director of Public Works shall have full power to do such work or may contract for the performance of such work and the cost thereof shall be assessed against the permittee.

(c) Upon completion of underground or surface work and at the discretion of the Director of Public Works, permittee shall furnish as built plans of the installation showing a correct plan view to scale,

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details and profile showing the locations of all elements based on data obtained in the field during construction.

(d) Permittee shall take out, pay for and maintain during the period in which this permit is in effect, a policy of public liability and property damage insurance protecting himself, his agents and employees against the liability or injury or death sustained or suffered by the public or damage to the property of the public by reason of the work carried on under this permit or the encroachment maintained hereunder. Public liability insurance shall be for the limits of at least \$300,000 for the injuries to one and \$5,000,000 for injury of more than one person and property damage limits shall be for the sum of \$100,000. The insurance shall be placed with a company satisfactory to the Risk Management and Insurance Division, prior to the date that work under this permit is commenced. Said policy or policies of insurance shall name the grantor, its officers and employees as additional named insureds and shall contain an endorsement precluding cancellation or reduction in coverage without giving the Risk Management and Insurance Division at least (10) days' notice prior thereto.

(e) If required on the face thereof, the permit shall not be effective for any purpose unless and until the permittee files with the Risk Management and Insurance Division of grantor a corporate surety bond in the amount specified on the face thereof, said bond to fully assure the performance by permittee of all obligations imposed upon permittee under the provisions of the permit.

PASSED FOR PUBLICATION:

ENACTED:

EFFECTIVE:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

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RESOLUTION NO. 84-350

Adopted by The Sacramento City Council on date of

APRIL 17, 1984

RESOLUTION AMENDING CITY OF SACRAMENTO FEE AND CHARGES MANUAL BY ADDING A FEE FOR THE ISSUANCE OF EXCAVATION/ENCROACHMENT PERMITS FOR CABLE T.V.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

That the City of Sacramento Fee and Charges Manual, Page 60a, Section II is amended as follows:

C. Excavation Permit

- 1. Cable T. V. Full cost recovery
- 2. All others \$120.00

\_\_\_\_\_  
MAYOR

APPROVED  
BY THE CITY COUNCIL

APR 24 1984

OFFICE OF THE  
CITY CLERK

ATTEST:

\_\_\_\_\_  
CITY CLERK