

ORDINANCE 2024-O-XXX

AN ORDINANCE OF THE CITY OF LAREDO, TEXAS, AMENDING THE CODE OF ORDINANCES CHAPTER 28, STREETS, SIDEWALKS, AND PUBLIC PLACES, ARTICLE IX. – PUBLIC RIGHT-OF-WAY MANAGEMENT, DIVISION 1. – GENERAL PROVISIONS, SECTION 28-167. – FIELD UTILITY COORDINATION, THEREBY REQUIRING THAT ALL ADJACENT PROPERTY FRONTAGE IMPACT PROJECTS AND CURB/STREET/PAVED AREA IMPACT PROJECTS SHALL FOLLOW THE UTILITY COORDINATION PROCESS IN ACCORDANCE WITH THE UTILITY PLANNING AND COORDINATION GUIDE BEFORE SECURING A RIGHT-OF-WAY PERMIT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, The City of Laredo, through mutual agreement with other entities, has been requiring that all projects having an impact on the public right of way shall follow a utility coordination process to properly identify all utilities in advance to minimize project delays and damages to existing utilities, and

WHEREAS, this ordinance amendment will require that adjacent property frontage impact projects and curb/street/paved area impact projects that will have an impact on the public right of way shall have to follow the Utility Coordination Process as specified in the Utility Planning and Coordination Guide before the issuance of a right-of-way permit and

WHEREAS, the City Council agrees that it is in the best interest of the city that adjacent property frontage impact projects and curb/street/paved area impact projects that will have an impact on the public right of way shall have to follow the Utility Coordination Process as specified in the Utility Planning and Coordination Guide before the issuance of a right-of-way permit,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

SECTION 1. The City of Laredo Code of Ordinances, Chapter 28, Article IX, Section 167, is hereby amended as follows:

Section 28-167. - Field Utility Coordination.

The ROW user shall notify the department at each of the following times during a project;

1. Forty-eight (48) hours before the start of construction;
2. Upon completion of the initial backfill and
3. Upon completion of the project.

The ROW-user shall mark the proposed excavation site with white lining and/or flags before requesting locates and actual excavation. White lining is not required for excavations more than sixty (60) feet long unless the excavation is located in pavers, cobblestone, pavements, sidewalks, or another public flatwork.

The ROW-user shall request a utility locates in accordance with the requirements of the Texas Underground Facility Damage Prevention and Safety Act, V.T.C.A., Utilities Code § 251.001 et seq. not more than fourteen (14) days and not less than forty-eight (48) hours before the commencement of the proposed excavation. Such a request shall be made to the one-call system and the city Utility Coordinator's Office. Such requests shall be made by telephone and email, including the date, location, extent, and reason for such proposed excavation.

Markers, stakes, poles, barricades, or other devices shall be used as appropriate in such a way as to avoid damage to adjoining property. The use of "non-washable" markers is prohibited.

The ROW-user shall mark the proposed excavation site with paint and/or flags in colors established by the one-call system. The markings shall be placed at a distance of not less than five (5) feet in all directions from the outside boundary of the site to be excavated.

All excavations shall commence within fourteen (14) days of the date of the utility locate. If the excavator fails to commence work within fourteen (14) days of the utility locate marks are not visible when the excavation is scheduled to commence, the ROW-user must request a new utility locate.

Compliance with the Texas Utilities Code is required at all times.

All barricades, plates, cones, traffic directional equipment, and all other traffic control devices owned by the ROW user and used on or near any excavation shall be clearly and visibly marked with the name of the permittee and/or ROW user for any project with a duration of more than twenty-four (24) hours as applicable, at all times such equipment is used on or near the right-of-way. ~~*An exception to the marking requirement may be made in the event the traffic control equipment is not owned by the permit holder or ROW-user.*~~

Section 2. This ordinance shall be cumulative of all provisions of ordinances of the City of Laredo, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 3. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 4. This Ordinance shall become effective immediately upon passage.

**PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON
THIS _____ DAY OF _____ 2024.**

**DR. VICTOR D TREVINO
MAYOR**

ATTESTED:

**JOSE A. VALDEZ, JR.
CITY SECRETARY**

APPROVED AS TO FORM:

**DOANH “ZONE” T. NGUYEN
CITY ATTORNEY**