



City of Sacramento City Council

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915 I Street, Sacramento, CA, 95814
www.CityofSacramento.org

Meeting Date: 9/20/2011

Report Type: Consent

Title: (Pass for Publication) Ordinance Amendment: Blanket Encroachment Permits

Report ID: 2011-00787

Location: Citywide

Recommendation: 1) Review Ordinance amending Section 12.12.090 of the City Code relating to Blanket Permits and 2) pass for publication the Ordinance title as required by Sacramento City Chapter 32(c) to be adopted September 27, 2011.

Contact: Jon Blank, Supervising Engineer, (916) 808-7914; Nicholas Theocharides, Engineering Service Manager, (916) 808-5065, Department of Transportation

Presenter: None

Department: Transportation Department

Division: Construction Inspect & Survey

Dept ID: 15001141

Attachments:

- 1-Description/Analysis
- 2-Background
- 3-Ordinance-Markup Copy
- 4-Ordinance-Clean Copy

City Attorney Review

Approved as to Form
Jerry Hicks
9/8/2011 1:14:07 PM

City Treasurer Review

Prior Council Financial Policy Approval or
Outside City Treasurer Scope
Russell Fehr
9/6/2011 11:30:21 AM

Approvals/Acknowledgements

Department Director or Designee: Jerry Way - 9/8/2011 8:47:23 AM



Description/Analysis

Issue: Utility companies have requested greater flexibility in the work which may be performed under a blanket permit. Staff agrees and proposes that section 12.12.090 of the City Code relating to blanket encroachment permits be revised to expand the work that may be performed under blanket permits and include provisions for emergency work.

Policy Considerations: The proposed ordinance amendment is consistent with the City of Sacramento Strategic Plan goals of improving and expanding public safety, and achieving sustainability and enhancing livability.

Environmental Considerations:

California Environmental Quality Act (CEQA): Environmental Services, Community Development Department, has reviewed the proposed ordinance and has determined that it is not subject to the California Environmental Quality Act (CEQA) Section 15061 (b)(3) of the CEQA Guidelines. This action involves general policy and procedures concerning the operation of City streets and has no potential adverse impact on the environment.

Committee/Commission Action: On August 4, 2011, the Law and Legislation Committee reviewed the ordinance amending Section 12.12.090 of the City Code relating to Blanket Permits. The committee approved the amended ordinances and resolutions, and forwarded this item to the City Council.

Rationale for Recommendation: The amendment is necessary to expand the work which utility companies may perform under a blanket permit. The changes are being proposed at the request of a number of utility companies.

Financial Considerations: There are no additional fees being proposed as part of the amendments to the City Code.

Emerging Small Business Development (ESBD): There are no ESBD considerations as there are no goods or services being purchased.



Background:

On June 20, 2006, staff presented information to the City Council relating to new legislation that provided for the transmission of tele-video through a statewide franchise license. As a result, the City Council directed staff to revise the City Code to provide for the regulation of utility boxes, cabinets and other facilities utilized by utility companies obtaining a state franchise license. During the revision process, staff identified additional changes to update Title 12 of the City Code. Amendments to Chapter 12.12 and other provisions of Title 12 were adopted on April 30, 2009.

Subsequent to the adoption of the code amendments, a number of utility companies requested that Title 12 of the City Code related to blanket permits be revised to provide for access, minor work, and emergency work. The proposed changes were provided to SMUD, AT&T and PGE for review and comment. The proposed changes are minor in nature, but include the requirements for traffic control plans and clarification of the intent of the blanket permit process.



ORDINANCE NO. 2011-

Adopted by the Sacramento City Council

Date Adopted

AN ORDINANCE AMENDING SECTION 12.12.090 OF CHAPTER 12 OF THE SACRAMENTO CITY CODE, RELATING TO BLANKET PERMITS

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

Section 12.12.090 of the Sacramento City Code is amended to read as follows:

12.12.090 Blanket permits.

A. The director may issue blanket permits to any person-utility company or public entity to encroach within the a public right-of-way or public utility easement for utility service connections, for the location of trouble in utility conduits or pipes and for making repairs thereto, or to access, maintain, repair or make minor service connections to the utility company's facilities; replace existing facilities with equivalent size and shape facilities in the same location; and for emergency purposes. Blanket permits shall be issued on a yearly basis only, and shall authorize only encroachments referred to in this section. Except as specifically provided otherwise in this chapter, encroachments authorized by this section shall be subject to all fees and requirements of this chapter. Work permitted under a blanket permit may include excavations that cause only minor public inconvenience, street closures, and sidewalk closures. The type and scope of work performed under a blanket permit shall be at the discretion of the director.

B. Utility companies performing work under a blanket permit that requires an excavation or the submission of a traffic control plan, should request approval from the director at least seven days prior to commencing the work and obtain approval prior to commencing work. Emergency work, performed requiring an excavation or the filing of a traffic control plan, performed under a blanket permit, shall be subject to the notice requirements of section 12.12.020.

C. Blanket permits shall have a term of one year, and shall authorize only encroachments permitted in this section. Except as specifically provided otherwise in this chapter, encroachments authorized by this section shall be subject to all fees and requirements of this chapter.

Adopted by the City of Sacramento City Council on _____ by the following vote:

Ayes:

Noes:

Abstain:

Absent:

MAYOR

Attest:

City Clerk

Passed for Publication:

Published:

Effective:



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Section 12.12.090 of the Sacramento City Code is amended to read as follows:

12.12.090 Blanket permits.

- A. The director may issue blanket permits to any utility company or public entity to encroach within a public right-of-way or public utility easement to access, maintain, repair or make minor service connections to the utility company's facilities; replace existing facilities with equivalent size and shape facilities in the same location; and for emergency purposes. Work permitted under a blanket permit may include excavations that cause only minor public inconvenience, street closures, and sidewalk closures. The type and scope of work performed under a blanket permit shall be at the discretion of the director.
- B. Utility companies performing work under a blanket permit that requires an excavation or the submission of a traffic control plan, should request approval from the director at least seven days prior to commencing the work and obtain approval prior to commencing work. Emergency work performed requiring an excavation or the filing of a traffic control plan, performed under a blanket permit, shall be subject to the notice requirements of section 12.12.020.
- C. Blanket permits shall have a term of one year and shall authorize only encroachments permitted in this section. Except as specifically provided otherwise in this chapter, encroachments authorized by this section shall be subject to all fees and requirements of this chapter.

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