

ORDINANCE NO. 793

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING ORDINANCE NO. 261 THEREIN PROVIDING FOR RULES AND REGULATIONS GOVERNING THE PLATTING AND SUBDIVIDING OF LAND SO AS TO ADD SECTION XVI-G TO PROVIDE REQUIREMENTS WITH THE RESPECT TO THE FILING OF SUBDIVISION PLANS AND FINAL PLATS; REQUIRING THAT SUCH SUBDIVISION PLANS AND FINAL PLATS FILED OR SUBMITTED FOR APPROVAL AFTER 6-23, 1982, SHALL REQUIRE CERTAIN PUBLIC UTILITIES TO BE PLACED UNDERGROUND; PROVIDING FOR AN EXCEPTION FOR TEMPORARY CONSTRUCTION SERVICE BY MEANS OF ELECTRIC LINES AND FACILITIES; PROVIDING FOR THE DEVELOPMENT OF ADMINISTRATIVE POLICIES AND COST REIMBURSEMENT PROCEDURES BY UTILITY COMPANIES; DEFINING "UTILITY SERVICES" AND OTHER TERMS USED HEREIN; PROVIDING A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. That Ordinance No. 261 passed by the City Council on the 27th day of April, 1976, is hereby amended to add the following:

G. Filing of subdivision plans and final plats.

1. That all subdivision plats filed with and submitted to the City Council for approval shall:

- a. Set forth a full and accurate description of the land subdivided;
- b. Set forth a full and accurate description of all streets and other areas dedicated;
- c. Contain a certificate of ownership;
- d. Dedicate all streets, alleys, parks and playgrounds to public use forever;
- e. Grant required easements for utilities, drainage floodway, fire lanes and other appropriate purposes;
- f. Be signed by the owner of the land.
- g. The final plan to be submitted to the City Council shall also indicate, on the mylar sepia copy, easement locations.

2. That no subdivision plat or site plan filed with or submitted to the City for approval on or after 6-23, 1982, shall be approved unless such plan or plat requires all electric utility lateral and service lines to be constructed underground. In special or unique circumstances or to avoid undue hardship, the City Council may authorize variances and exceptions from this requirement and permit the construction and maintenance of overhead electric utility lateral or service lines and may approve any plat with such approved variances or exceptions. It is the intent of this section that no overhead electric utility lateral or service lines be constructed without a variance or exception having been obtained for the subdivision plat or site plan.

3. That all wires and lines providing other utility services, and electric lines serving street lights, shall be placed underground in all subdivisions and on all sites where the final subdivision plat or site plan approved by the City requires electric utility lateral and service lines to be placed underground. Utility support equipment, such as transformers,

amplifiers, switching devices, etc., necessary for or used in connection with underground installations shall be deemed to be placed underground if actually constructed underground or if pad-mounted on the surface.

4. Anything in this ordinance to the contrary notwithstanding, temporary construction service may be provided by overhead electric lines and facilities without obtaining a variance or exception.

5. That nothing herein set forth shall prohibit or restrict any utility company from recovering the difference between the cost of overhead facilities and underground facilities. Each utility whose facilities are subject to the provisions of this ordinance shall develop policies and cost reimbursement procedures with respect to the installation and extension of underground service.

6. As used in this ordinance the terms "Utility services", "feeder lines", "lateral lines", and "service lines" shall have the following meanings:

- a. "Utility services" shall mean the facilities of any person, firm or corporation providing electrical, telephone, TV cable or any other such item or service for public use which services are not normally or already required to be placed underground and are within the present or future city limits of the Town of Addison, Texas.
- b. "Feeder lines" shall mean those high voltage supply electric lines that emanate from substations used to distribute power throughout an area.
- c. "Lateral lines" shall mean those electric lines used to distribute power from a feeder line to an end user. These electric lines are normally connected to a feeder line through a sectionalizing device such as a fuse.
- d. "Service lines" shall mean those electric lines used to connect between the utilities' supply system and the end user's service entrance.

SECTION 2. Any person, firm or corporation violating any or all of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction in municipal court shall be subject to a fine not to exceed the sum of Two Hundred Dollars (\$200.00), and each and every day said violation continues shall constitute a separate offense.

SECTION 3. The importance of this ordinance creates an emergency and an imperative public necessity, and the ordinance shall take effect and be in force from and after its adoption.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, this the 26 day of May, 1982.


MAYOR

ATTEST:


CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY

EFFECTIVE DATE: June 23, 1982