AMENDMENT NO. ___

TO

ORDINANCE NO. BL2026-1434

Madam President –

I hereby move to amend Ordinance No. BL2026-1434 by amending Section 1 as follows:

Section 1. That Section 13.20.020(B) of the Metropolitan Code of Laws shall be deleted in its entirety and replaced with the following:

B.1. No excavation may be undertaken in any street, road, alley or right-of-way or of any utility or temporary construction easement of the metropolitan government or other government entity by any department of the metropolitan government or any other entity unless notice as required herein has been given to the following:

a. the occupant of the property abutting a street, road, alley, or right-of-way in which work is to be performed;

b. the fee owner and occupant of the property burdened by the easement in which work is to be performed;

c. all occupants within the block where such work is to be performed; and

d. the district member(s) of council representing the area of such excavation.

Such notice shall be given to the persons provided above at least seven days prior to the beginning of any such construction work. The person holding the excavation permit shall deliver to the director a signed statement containing the list of persons notified or the addresses of the occupants notified and what manner of notification was used prior to commencement of work.

2. For the purposes of this subsection, adequate notice shall be written notice providing the following information:

a. the purpose of the excavation;

b. a description of the excavation work;

c. the expected beginning date and completion date of the excavation work;

d. the name, address, and telephone number of a contact person available to provide information regarding the project and to receive complaints from the public; and

e. such other information as may be required by the director.

3. In the event such construction work is for emergency repairs <u>as determined by the director or a member of management of the department</u>, the notice required herein shall be waived, provided, that notice shall be given as soon as practicable to the owner setting forth both the work being undertaken and the purposes for such emergency repairs <u>if such work is being conducted more than seven days following the initiation of the emergency</u>.

4. The notice requirements of this subsection shall not apply to minor, routine excavation work that:

a. is undertaken solely to install, connect, inspect, maintain, repair, replace, or remove a service line, meter, valve, conduit, or other utility facility serving an individual property;

b. is reasonably expected to be completed within three working days; and

c. does not materially restrict access to any property other than the property being served.

SPONSORED BY:

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Antoinette Lee
Member of Council