

TOWN OF NEW SCANDIA

ORDINANCE NO. 39

AN ORDINANCE REGULATING THE CONSTRUCTION OF PUBLIC UTILITIES ON OR UNDER THE PUBLIC GROUNDS AND RIGHTS OF WAY IN THE TOWNSHIP AND PROVIDING FOR PERMITS FOR THE INSTALLATION THEREOF

The Town Board of New Scandia Township, Washington County, Minnesota, hereby ordains:

Section 1. Permit Required

Section 1.1

No utility company shall open or disturb the surface of any public ground, right of way or easement for any purpose without first having obtained a permit from the Town. The permit application shall describe the type of facility to be installed and the proposed location and depth of installation within the right of way or easement. The facilities are to be installed pursuant to such permit and shall be located as directed by the Town, taking into account existing and planned underground facilities. No permit shall be required for installation of services or repairs and maintenance of previously installed facilities. A permit shall be issued by the Town Clerk upon approval by the Town Board. A nonrefundable fee of \$100.00 shall be paid by the utility company with its application for permit.

Section 1.2

If construction work is not commenced within 9 months after the issuance of a permit, it shall be null and void. In addition, a new permit must be obtained if construction under a permit is not completed within 12 months of the date of permit issuance.

Section 2. Standards

Section 2.1

Location of new or relocation of existing utilities shall be permitted in Town rights of way and easements only after the utility company has submitted for review and approval by the Town Board two copies of a scaled map with proposed utility location with dimension and size of pipe, conduit and/or cable.

Section 2.2

In new plats or subdivisions, utilities shall be installed in the streets in locations and depths as shown on the attached exhibit A. Where possible when relocation is required or upgrading is to be done on existing lines, utilities shall be relocated as shown on Exhibit A.

Section 2.3

All areas disturbed by the installation of utilities shall be restored to at least the same condition as before commencement of the work. All areas of top soil disturbed by the construction shall be reseeded or resodded forthwith after the completion of the installation in that area. The Town may impose additional erosion control requirements if, in the opinion of the Township Engineer, they would be beneficial. The utility company shall provide an annual revised town map showing location of all of its utilities in the Town.

Section 3. Penalty

Section 3.1

Any person, firm or corporation violating any provision of this ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than \$700.00 or by imprisonment not to exceed ninety (90) days or both.

Section 3.2

Violation of the ordinance may result in the following additional penalties.

- A. Termination of the permit.
- B. Proceedings to prevent, restrain, correct or abate any failure to comply with the conditions of the permit with the right to assess the cost of such action or proceeding against the utility company.

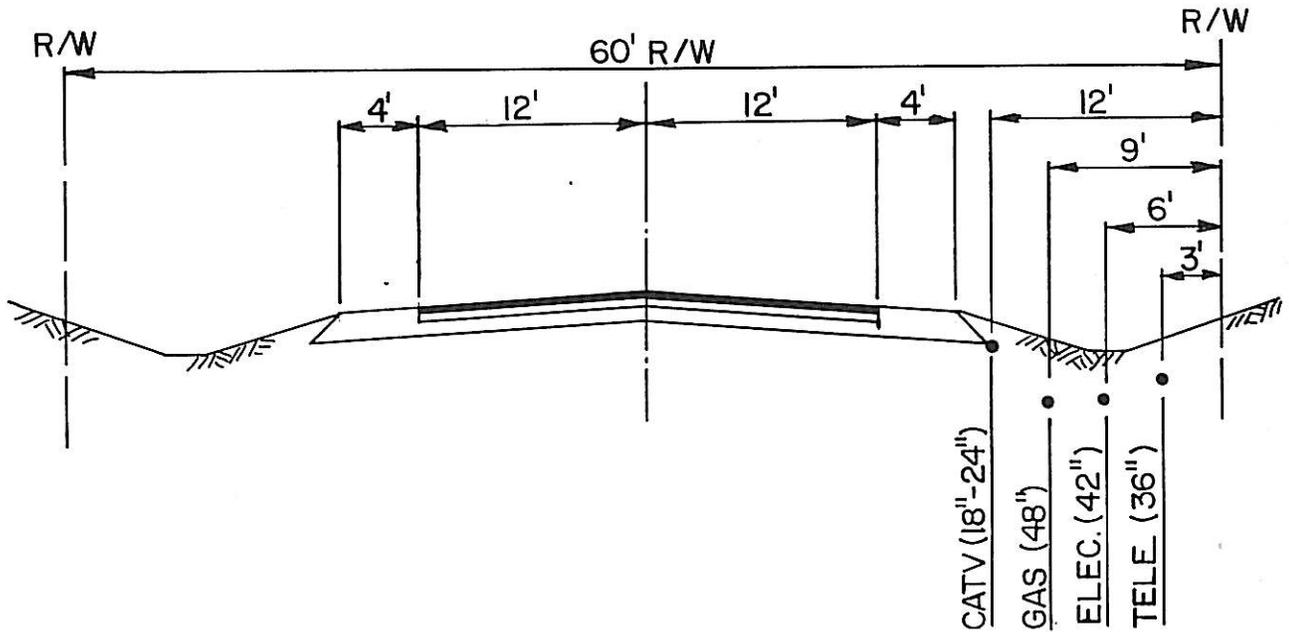
This ordinance shall be in full force and effect from and after the date of its passage and publication as required by law.

Adopted by the Town Board of New Scandia Township this 17th day of March, 1992.

By Russell Jackson
Russell Jackson, Chairman

ATTEST:

Dolores Peterson
Dolores Peterson, Clerk



UTILITY INSTALLATION SHALL BE BY PNEUMAGOPHER UNDER PAVED STREETS AND DRIVEWAYS, AND SHALL BE A MINIMUM OF 36" BELOW LOWEST POINT OF PAVED SURFACE BEING CROSSED.

TKDA

ENGINEERS ARCHITECTS PLANNERS

**TYPICAL
UTILITIES PLACEMENT**

NEW SCANDIA

TOWNSHIP