



## MEMORANDUM

**To:** Mayor and City Council Members  
Steve Parker, City Manager

**From:** Mary Hamann, P.E., Assistant City Engineer

**Through:** Rick Cortes, Deputy City Manager

**Subject:** Ordinance revising Chapter 90, Article IV of the Code of Ordinances regarding Right-Of-Way Work and amendments to Appendix C, Fee Schedule of the Code of Ordinances

**Date:** March 7, 2023

City staff is proposing amendments to Article IV of Chapter 90 of the Code of Ordinances to revise the permit requirements and create a division regarding performance of the work conducted in the city's right-of-way. Many of the sections of this article have never been updated since the current code was adopted in 1964.

Research was conducted by staff to determine common requirements for work in public right-of-way for other cities in Texas, including San Marcos, New Braunfels, Grand Prairie, and Sugar Land. Elements of the ordinances from these other cities were incorporated into the proposed revisions, including applicability to work conducted due to an emergency situation, warranty requirements for completion of proposed work, and pavement standards for excavations conducted in newly constructed or reconstructed streets.

Staff has prepared revisions to the existing ordinance, including adding the fees currently charged to Appendix C of the Code of Ordinances. The revisions to the Right-Of-Way Work article have been reviewed by the city's Risk Management Administrator and Public Works Director.

City staff recommends approval of the proposed amendments to the Right-Of-Way Work ordinance (Chapter 90, Article IV) and the addition of the application and re-inspection fees (Appendix C) and will be available to answer any questions at the March 7, 2023 City Council meeting.