

ORDINANCE NO. 514

AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING THE MANOR CODE OF ORDINANCES CHAPTER 13 UTILITIES, ARTICLE 13.01 GENERAL PROVISIONS TO ADD PROVISIONS FOR UNDERGROUND UTILITIES; PROVIDING FOR CONFLICTING ORDINANCES AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, it is appropriate for the City to add and modify ordinances to better provide an attractive living environment and to protect the health, safety, morals, and welfare of the present and future residents of the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF MANOR, TEXAS, THAT:

Section 1: Findings Incorporated. The findings set forth above are incorporated as if fully set forth herein.

Section 2: Amendment of Chapter 13, Article 13.01 adding Section 13.01.002 Installation of Utility and Service Lines as follows:

Section 13.01.002 Installation of Utility and Service Lines

- (a) Any person or utility installing or causing to be installed any new utility or service line within the city shall install such utility or service line underground. Utility or service lines shall include, but not be limited to water, wastewater, gas, electric, cable, internet, and propane lines. Replacement of existing overhead utility lines is exempted from the requirements of this ordinance for maintenance, upgrade of an existing electric distribution line up to an 800-amp capacity and improvements from single-phase to three-phase electrical distribution. If above ground utilities are being replaced on side streets with above-ground utility service which intersects with a roadway with underground utilities, the first pole supporting the above ground service is placed on such side street at least one hundred (100) feet from the center of the roadway with the underground utilities.

- (b) For high voltage power transmission lines and in unique or unusual circumstances, a person may request an exception to the requirements of this section by submitting a written request for an exception to the planning department. The city engineer may grant an exception if proposed high voltage power transmission lines are consistent with the City's Land Use Plan and Master Plan, an exception is required by applicable building codes or for public safety reasons, or the proposed facilities are temporary and an acceptable fiscal posting is deposited with the City for 110% of the cost of permanent underground facilities. The city engineer's decision may be appealed in writing to the planning and zoning commission within ten days of the city engineer's decision. The commission's decision may be

appealed to the city council within ten days of the commission's decision. The city council's decision will be final.

Section 3. Conflicting Ordinances. All ordinances or parts of ordinances in conflict with this ordinance are hereby amended to the extent of such conflict and shall hereinafter read as provided herein. To the extent only, if any, necessary to accomplish the purposes of this ordinance, any such term, condition or provision of any ordinance of the city that is in conflict herewith is hereby repealed to the extent of such conflict.

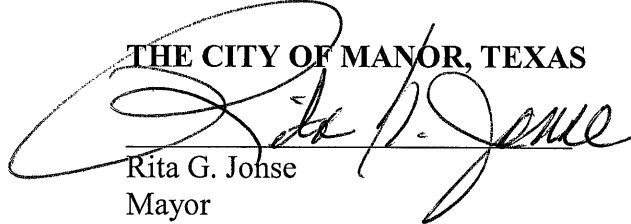
Section 4. Severability. If any provision of this ordinance or the application of any provision to any person or circumstance held invalid, the invalidity shall not affect other provisions or applications hereof which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Section 5. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the *Open Meetings Act, Chapt. 551, Loc. Gov't Code.*

Section 6. Effective Date. This ordinance shall take effect immediately from and after its passage and publication.

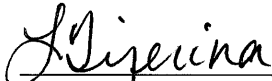
PASSED AND ADOPTED this the 21st day of March 2018

THE CITY OF MANOR, TEXAS



Rita G. Johse
Mayor

ATTEST:


Lluvia Tijerina
City Secretary

