

BILL NO. 0000

ORDINANCE NO. ____

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF LAKE SAINT LOUIS, MISSOURI, TITLE V: BUILDING CODE ENACTING TWO NEW CHAPTERS ENTITLED CHAPTER 512 EXCAVATIONS AFFECTING PUBLIC UTILITIES AND CHAPTER 513 TRENCHLESS CONSTRUCTION REGULATIONS.

WHEREAS, all companies and persons performing an excavation are required to notify the statewide notification center established pursuant to Sections 319.010 —319.050 RSMo, and allow at least 48 hours for the appropriate marking of utility lines; and

WHEREAS, the Municipal Code prohibits Damage to Public Property (section 510.070); and

WHEREAS, it has been determined that Utilities should be protected similarly to other public property; and

WHEREAS, in the last three (3) months, there have been at least ten (10) separate instances of directional boring, undertaken for installing utility cables, which resulted in damage to gas lines; and

WHEREAS, best management practices and prudent exercise of the City's police powers when regulating excavations and, specifically, directional boring dictate that additional regulations should be placed on those who perform directional boring.

Be it ordained by the Board of Aldermen for the City of Lake Saint Louis, Missouri as follows:

SECTION 1. The Municipal Code of the City of Lake Saint Louis, Missouri, Title V: Building Code adding Chapter 512 and Chapter 513, to read as follows:

The following provisions of Title V: Building Code of the Lake Saint Louis Municipal Code are hereby amended as documented below (additions in bold):

Chapter 512 Excavations Affecting Public Utilities

Section 512.000 Notification Center.

It shall be unlawful for any person to perform any excavation or to direct the performance of any excavation within the corporate limits of the City of Lake Saint Louis without first having contacted the notification center established pursuant to Sections 319.010 through 319.050, RSMo., and having given the center at least forty-eight (48) hours to contact the member utilities for appropriate marking of utility lines, cable or facilities.

Section 512.020 Public Utilities — Generally.

- A. It shall be unlawful for any person to perform any excavation or to direct the performance of any excavation within the corporate limits of the City of Lake Saint Louis which shall in any way disturb, move, cut or damage any public utility line, cable or facility.**
- B. The provisions of this Section shall not apply to any publicly owned or regulated utility which is repairing or replacing any of its own facilities which does not affect other utilities, lines or facilities.**

Section 512.030 Excavation Near Pipelines.

It shall be unlawful for any person to perform any excavation or to direct the performance of any excavation within the corporate limits of the City of Lake Saint Louis within an area designated as a utility or pipeline easement for a hazardous pipeline without having first obtained a permit from the Engineering Department. Any permit required pursuant to this Section shall be requested from the Engineering Department at least three (3) working days, but not more than ten (10) working days, before performing any excavation.

Chapter 513 Trenchless Construction Regulations

Section 513.010 Number of work locations limited.

Each Service Provider or other owner shall perform or contract to be performed directional drilling or boring in no more than 2 locations within the City at any specific time. “Directional drilling or boring” shall include all work where directional boring is taking place and does not include locations where other phases of work are being completed.

Section 513.020 Boring allowed only during certain hours

Directional drilling or boring may not begin before 8:00 AM or continue past 3:30 PM and may only be conducted on weekdays excluding holidays listed in section 117.370.

Section 513.030 Calibration

All boring equipment shall be calibrated in accordance with the manufacturer’s specifications. In addition, the calibration shall be checked at a minimum of once per day and at any time the location for the boring head is determined to be unknown during operations. Such check shall be conducted to ensure that the

