



City of Coral Gables
CITY COMMISSION MEETING
January 14, 2020

ITEM TITLE:

Ordinance on Second Reading. An Ordinance of the City of Coral Gables, Florida amending the City of Coral Gables Code Chapter 78, Article I, Section 78-1 entitled "Restricted Use of Utility Easement Property", and Chapter 1, "General Provisions", Section 1-7 entitled "Penalties" to include additional penalties for violations of Section 78-1; providing for repealer provision, severability clause, codification, and providing for an effective date.

BRIEF HISTORY:

In the past, property owners within the City, their tenants, or agents, have precluded the right or ability of utility companies to gain access to public and/or private property for the purpose of removing or pruning trees or plants which may impede or interfere with the delivery of said utility service located within a utility easement.

The City Commission, in order to protect the health, safety, and welfare of its residents, desires to avoid unnecessary interference with and disruption of utility services within the City.

The Ordinance was approved on first reading on October 22, 2019. Between first and second reading the following language was added:

Any utility company who performs work on a utility easement is responsible for any damage caused by said work whether the damage occurs on private property or within the easement area. It shall be the sole responsibility of the utility to restore any damage caused by their operations, regardless of location, and any costs associated with the restoration work will be assessed on the utility company responsible for the damage.

All utility companies operating within the utility easements shall defend, indemnify, and hold harmless the City, its trustees, elected and appointed officers, agents, and employees against any claims for damages or injuries resulting in any manner from their actions or the action of their authorized agents.

ATTACHMENT(S):

1. Draft Ordinance