

ORDINANCE NO. 240871

Amending Chapter 64, Code of Ordinances, by repealing Section 64-125 and enacting in lieu thereof a new section of like number and subject matter for the purpose of removing all temporary utility markings used for encroachment work.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 64, Code of Ordinances, is hereby amended by repealing Section 64-125 and enacting in lieu thereof a new section of like number and subject matter to read as follows:

Sec. 64-125. Standards for back filling excavations and resurfacing.

The director shall have authority to promulgate rules and regulations for back filling and resurfacing consistent with the city's standard specifications for construction of streets, sidewalks and other paved areas of property owned by the city. The back filling of all excavations in, through, or under the paved areas of property, right-of-way and easements owned by the city shall be subject to those standard specifications and the following requirements:

- (1) If the edge of the excavation is within three feet of the edge of the roadway, or joint in the pavement, or edge of an existing repair or street patch, the permittee must extend the repair, including the paving and its aggregate foundations, to the edge of the roadway, or joint in the pavement, or edge of an existing repair or street patch street.
- (2) The permittee shall remove all surplus earth, rock or rubbish from the excavation site and clean the excavation site and surrounding area affected by the excavation within 24 hours after the back fill has been completed.
- (3) The permittee shall remove all temporary utility markings used for its permit within 24 hours after the backfill work is completed. This shall include paint, flags, stakes, or other clearly identifiable materials to show the location of underground facilities.

A permittee under this article shall maintain all work performed under the permit for a period of three years and shall make any repairs required within 15 days after the notification of defect.

Approved as to form:

Dustin E. Johnson
Assistant City Attorney