

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2022-15**

**AMENDING ORDINANCE 2020-22 - THE RIGHT-OF-WAY ORDINANCE
SCHEDULE OF RIGHT-OF-WAY PERMIT FEES**

WHEREAS, on July 20, 2020, the City Council of the City of Daphne adopted Ordinance 2020-22, which amended the City's Right-of-Way Ordinance, as codified at Section 18, Article II; and

WHEREAS, the City Council desires to further amend the 2020 Right-of-Way Ordinance, upon recommendation from City staff, to revise the Schedule of Right-of-Way Permit Fees attached to the Right-of-Way Ordinance as Appendix A.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, AS FOLLOWS:

SECTION 1. AMENDMENT OF APPENDIX A OF THE 2020 RIGHT-OF-WAY ORDINANCE.

Appendix A to Ordinance 2020-22 is hereby deleted in its entirety and replaced with Appendix A hereto.

SECTION 2. ORDINANCE 2020-22 TO REMAIN IN EFFECT.

Ordinance 2020-22, adopted by the City Council of the City of Daphne on July 20, 2020, shall remain in full effect to the extent not amended by this Ordinance.



SECTION 3: SEVERABILITY.

If any provision of this Ordinance is held to be invalid or unenforceable for any reason, such holding shall not in any way affect the remaining portions hereof, which shall remain in full force and effect.

SECTION 4: EFFECTIVE DATE.

This Ordinance shall be in full force and effect from and after the date of its approval by the City Council of Daphne and publication as required by law.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE
THIS 7th DAY OF March, 2022.**

Robin LeJeune, Mayor

ATTEST:


Candace G. Antinarella, CMC, City Clerk

**APPENDIX A
SCHEDULE OF RIGHT-OF-WAY PERMIT FEES**

Description	Permit Fee
Administration Fee	\$25.00 (all non-wireless permits)
Aerial utility construction	\$0.50 per L.F.
Utility poles including guy and anchor	\$2.00 per pole
Longitudinal and transverse excavation for all new projects (paved areas)	\$3.00 per L.F. (minimum fee \$100.00)
Longitudinal and transverse excavation for all new projects (unpaved areas)	\$0.75 per L.F.
Longitudinal and transverse excavation for point repairs, service lines, storm drains, manholes, etc. (paved areas)	\$20.00 per square yard
Longitudinal and transverse excavation for point repairs, service lines, storm drains, manholes, etc. (unpaved areas)	\$6.00 per square yard
Excavation for utility construction, point repairs (unpaved areas)	\$6.00 per square yard
Directional boring and jacking operations, tunneling, retrofit or repair of existing utilities by bore, stitch boring, plowing, irrigation systems, etc.	\$0.40 per L.F. (minimum fee \$25.00)
Directional boring for fiber optic cable (new installation)	\$0.10 per L.F.
Communication towers (new installation)	\$50.00 per tower
Terminal boxes, junction boxes, equipment cabinets, splice boxes, regulator stations, meters & valves in paved areas, vaults, utility pedestals	\$5.00 each
Sidewalk, driveway, curb, gutter, mitered-end sections (new construction, replacement, or repair):	(See below)
- 0 sq. yds. to 2 sq. yds.	\$10.00
- 2 sq. yds. to 25 sq. yds.	\$30.00
- 25 sq. yds. to 100 sq. yds.	\$50.00
- 100 sq. yds. to 200 sq. yds.	\$100.00
- 200 sq. yards. or greater	\$0.50 per SY
Steps, ramps (ADA compliant), etc.	\$50.00 per location
Monitoring wells	\$50.00 each
Temporary pedestrian walkway	\$50.00 per location
Balconies, canopies	\$10.00 per location
Wireless Facility (Non-refundable application fee for up to 5 wireless facilities)	\$500.00
Non-refundable, additional application fee per each wireless facility over the 5 wireless facilities contained in the Wireless Facilities application	\$100.00 each
Annual recurring fee assessed to each Wireless Facility permittee	\$270.00 per year

Note: Applicants may be allowed, if determined by the department to obtain, in advance, an annual, quarterly, or semi-annual permit for minor projects outside roadway limits and some small projects that involve minimal excavation as defined by the ROW Manager. Permit fees shall be calculated based upon the actual work completed during the term and due for payment at the end of the term. Bi-weekly summary submittals will be required of blanket permit applicants covering the type and extents of work, locations, durations, etc. These summary submittals will be used to verify fees based on the actual work completed under that blanket permit. Excluding wireless facilities, a twenty-five dollar (\$25.00) application fee plus all fees will be charged at the end of the permit term.

**** Please note: all fees are non-refundable****

OBSTRUCTION FEES

The following conditions shall apply in determining obstruction fees:

- (1) The obstruction of commercial pedestrian walkways will be charged at the rate of five dollars (\$5.00) per calendar day for each twenty (20) linear feet of length.
- (2) The planned obstruction of any portion of a roadway for any reason will be charged at the rate of ten dollars (\$10.00) per calendar day for each twenty (20) linear feet of length.
- (3) Fees will not be charged for obstruction of less than eight (8) hours.