

Chapter 3

Regulation of Underground Utilities

6-3-1 Regulation of Underground Utilities

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- a) **Elevation.** The grade or elevation of all underground construction shall be a minimum of three (3) feet below the established grade of the street, alley, park, public property or easement. The three (3) feet shall be measured between the top of the established grade and the top of the underground construction.
- b) **Approval of Location.** The location of any and all such underground construction must have the approval of the Director of Public Works.
- c) **Filing Plans.** Complete plans for any such construction must be filed with and be approved by the Director of Public Works before construction can begin.
- d) **Inspection.** On request of the Director of Public Works, the utility company must provide opportunity for him to check any construction before it may be covered.
- e) **Conflict With Other Utilities.** If the grade or elevation herein set for the underground construction of utilities shall, in any instance, conflict with other existing utilities, the utility shall be required to lower the elevation of its underground construction, or of the storm sewer, at the election of the Director of Public Works and in accordance with his directions and specifications.
- f) **Establishment of Grade.** At the request of the utility company, the Director of Public Works shall give the utility company an established grade on any streets, alleys, public parks or easements where it proposes to install underground utilities.
- g) **Emergency.** In case of an emergency, when immediate action is necessary in order to protect life or property, the utility company may proceed with underground construction subject to obtaining the approval of such work by the Director of Public Works as soon thereafter as is reasonably possible.
- h) **Restoration of Surface.** In the event of any such underground construction, the utility company shall leave the surface of the ground, or road, in the same condition as before said work was commenced, and in the event of its failure to do so, the Village may proceed to place the surface of the ground or

street in such condition at the utility company's expense. Such work shall comply with the provisions of Section 6-2-3 and 6-2-4.

- i) **Non-Relief From Obligations.** Compliance with this Section does not relieve the utility company from any responsibility of any kind whatsoever by reason of the widening of the travelway, or any other improvements which may become necessary; nor does it relieve it from any liability of any kind or nature whatsoever. Compliance with this Section shall not relieve the utility company from the responsibility or obligation of removing, relocating or moving any of its mains, pipes or property due to the opening, widening or improving of streets, or due to any other changes which may occur by reason of which such moving, relocation or removing may be necessary.