

## Conduit Occupancy – Updated Ordinance Summary

### 1. Updated fee's that support full cost recovery

- Updated occupancy rates
  - 98-13 Conduit System Occupancy Fees: Ordinance changes include increasing rates for both for both Class I and Class II conduit.
- Automatic annual inflationary adjustments
  - 98-13 Conduit System Occupancy Fees: Ordinance changes include adding an annual inflationary adjustment based on CPI to address the cities increasing cost to maintain and manage the conduit system.

### 2. Establish proper registration requirements including mandatory annual reporting

- New Registrations
  - 98-5 Registration
    - Requires anyone seeking to occupy conduit to register with the department.
    - Establishes that all agreements will be three-year terms
  - Part 2: Create 81-50.6. Conduit System Registration Permit
    - Requires first-time registrants to pay a \$1,500 fee (Due to the department extensive work to verify new registrants and a \$1,500 fee would be appropriate)
- Existing Registrants
  - 98-5 Registration
    - Requires persons with existing agreements to register for a new three-year term when the current agreement expires.
    - All persons with an existing agreement must shall register with the department and execute a new three-year conduit occupancy license agreement upon expiration of the existing agreement.
- Operations Plan
  - 98-7 Registration Information
    - Requires those seeking to occupy the conduit system who have not already submitted an annual report to submit an Operations Plan which includes maps of installations, linear footage, locations, and beginning /end dates of all installation projects
- Annual Reports
  - 98-15 Annual Reports
    - Requires those who are occupying city conduit to submit an annual report that provides the city with maps of installations, linear footage, locations, and beginning /end dates of all installation to be commenced during the next calendar year.

### 3. Updated language that allows for proper policing authority

- 98-5 Use to be Approved by Commissioner.
  - Establishes the Commissioner of Public Works policing authority
- 98-13 Conduit Occupancy License Agreement
  - Establishes new occupancy fee's
  - Establishes new annual inflationary adjustment
- 98-19 Material Misstatements
  - Allows the Commissioner to make determinations on violations and ability take appropriate action.
- 98-21 Additional Installations
  - Establishes permit review fee of \$500 and increase for violation
  - Establishes the Commissioner conduit system policing powers
- 98-23 Unauthorized Occupancy
  - Establishes corrective actions, timeline for corrections, and penalties