

ORDINANCE NO. 87-10

AN ORDINANCE TO REQUIRE ALL PUBLIC UTILITIES TO CONSTRUCT NEW FACILITIES, EXCLUDING HIGH VOLTAGE ELECTRICITY FACILITIES, UNDERGROUND AND TO AMEND TITLE 13 OF THE SPRING HILL MUNICIPAL CODE ACCORDINGLY

BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF SPRING HILL, TENNESSEE, that Title 13 of the Spring Hill Municipal Code is hereby amended by the adoption of an amended Chapter 5 as follows:

CHAPTER 5

GENERAL PROVISIONS

13-501. Definitions. As used in this Chapter:

(1) "Utility" means any line, system or facility used for producing, storing, conveying, transmitting, or distributing communications, electricity, gas, petroleum, petroleum products, hazardous liquids, water, steam or sewerage;

(2) "Person" means any individual; any corporation, partnership, association, or any other entity organized under the laws of any state; any state; any subdivision or instrumentality of a state; and any employee, agent, or legal representative thereof; and

(3) "Operator" means any person who owns or operates a utility.

(4) "High Voltage Electricity Facilities" means any power line or related electric facility which operates at a voltage greater than 600 volts alternating current (AC).

13-502. Erection of Utilities Above Ground Prohibited. It shall be unlawful within the Town of Spring Hill for any operator to construct any utility, except high voltage electricity facilities, above the surface of the ground. All utilities, except as noted herein, hereafter constructed shall be placed beneath the surface of the ground, it being the intention of this Chapter to prohibit above ground construction of utilities, except for high voltage electricity facilities.

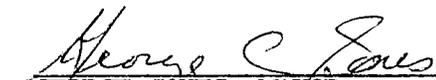
13-503. Depth. All utilities hereinafter constructed shall be placed a sufficient distance beneath the surface to comply with all laws, codes, and regulations pertaining to such utility and underground construction. Where no such depth is specified, the depth of the location of the utility shall be prescribed by the Building Inspector of the Town of Spring Hill.

13-504. Compliance with other laws. All such underground construction shall comply with all other applicable laws including specifically Chapter 31 of Title 65 of Tennessee Code Annotated.

13-505. Exceptions. (1) Where the composition of the materials underlying the surface of the ground renders underground construction impractical by reason of cost and expense, danger to surrounding properties arising from the proper means of construction or other reasonable cause, application for relief from the provisions of this Chapter may be granted by the Board of Zoning Appeals; provided, however, that in granting such variance or exception, the Board shall specify the measure or extent of relief granted from these provisions. Any action taken by the Board of Zoning Appeals may be modified or rescinded by the Board of Mayor and Aldermen, provided that final action is taken by this Board within thirty (30) days after the granting of the exceptions or variance by the Board of Zoning Appeals.

(2) Overhead electric facilities existing on the date of the adoption of this ordinance will be permitted to continue in place so long as the facilities are not changed.

PASSED AND ADOPTED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF SPRING HILL, TENNESSEE, on this the 11 day of May, 1987.



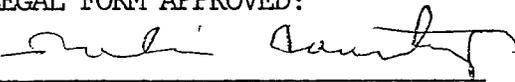
GEORGE JONES, MAYOR

ATTEST:



JUNE QUIRK, CITY RECORDER

LEGAL FORM APPROVED:



ROBIN COURTNEY - TOWN ATTORNEY

Passed on 1st reading: 4-20-87

Passed on 2nd reading: 4-27-87

Passed on 3rd reading: 5-11-87