

RESOLUTION NO. 2012 - 245

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, REVISING THE "CONSTRUCTION STANDARDS HANDBOOK FOR WORK WITHIN THE RIGHT-OF-WAY, COLLIER COUNTY, FLORIDA," IN ACCORDANCE WITH ORDINANCE NO. 2003-37, AS AMENDED.

WHEREAS, Collier County Ordinance No. 2003-37 established the "Construction Standards Handbook for Work within the Right-of-Way, Collier County, Florida" to regulate and require consistency and quality of workmanship and materials for construction activities within Collier County rights-of-way; and

WHEREAS, the Board of County Commissioners (Board) subsequently amended Ordinance No. 2003-37 through the adoption of Ordinance Nos. 2003-58 and 2009-19; and

WHEREAS, the 2009 amendment provides for two separate handbooks, the "Construction Standards Handbook for Work within the Right-of-Way, Collier County, Florida" (Construction Handbook) and the "Collier County Landscape and Irrigation Specifications for Beautification Improvements within the Public Right-of-Way" (Landscape Handbook); and

WHEREAS, Ordinance No. 2003-37, as amended, also provides that all necessary future revisions to each of these two Handbooks shall be accomplished separately and by resolution adopted by the Board; and

WHEREAS, the Board desires to revise the Construction Handbook so as to allow an adjacent property owner to plant minimal vegetation enhancements within a right-of-way without obtaining a right-of-way permit.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, that Section I. E., entitled "Exemptions from Permit Requirements," of the Construction Handbook is hereby revised as set forth in Exhibit A, attached hereto and incorporated herein by reference.

THIS RESOLUTION ADOPTED after motion, second and majority vote favoring same, this _____ day of _____, 2012.

ATTEST:
DWIGHT E. BROCK, CLERK

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: *Dwight E. Brock*

By: *Fred W. Coyle*

Attest to the Chairman's
signature only.

FRED W. COYLE, CHAIRMAN

Approved as to form
and legal sufficiency.

Jeffrey A. Klatzkow
County Attorney

EXHIBIT A

E. Exemptions from Permit Requirements:

1. Minor repairs of a pedestal or pole, provided the pedestal or pole occupies the right-of-way or easement, by virtue of an approved Permit, and provided that no damage is caused to the right-of-way or easement by the repair servicing vehicles.
2. Routine maintenance of permitted facilities. The ROW Section Manager or designee will determine if the proposed activity is routine or not (if it is determined the activity is not routine, a ROW permit will be required). A schedule and a Blanket Permit shall be provided to the County where routine maintenance will occur.
3. An overhead pole-to-pole service drop if the pole occupies the right-of-way or easement by virtue of a County approved Permit and applicable minimum overhead clearance is maintained.
4. A temporary service wire placed across, or adjacent to, the roadway which wire placement does not create a hazard to the traveling public.
5. Work to be done in or on private property, providing construction will not be accomplished within a County-dedicated utility/drainage easement.
6. To run a drop from the tapped pedestal directly to a private property line, so long as the portion of the cable drop is buried in the right-of-way or easement and is physically not longer than the total width of the easement.

EXAMPLE: From a pedestal located in the middle of a ten-foot easement, a drop can be run directly to an abutting property line without a Permit so long as that drop runs no longer than ten feet in the easement.

7. Locating lines and/or valves for other construction.
8. Hydrant and/or valve adjustments.
9. Residential water or gas meter installations provided the meter and main are located on the same side of the street.
10. Installation of United States Post Office mailboxes.
11. Lawn, landscape, and irrigation maintenance.
12. No vegetation shall exceed a maximum height of thirty inches from natural ground level or exceed a base trunk size of four inches in diameter. The vegetation must not hinder sight distance. Permissive vegetation shall not interfere with roadside drainage or hinder the ability to maintain the roadway and drainage facilities. The owner must submit a right-of-way permit application for trees, palms, and larger vegetation and follow all rules set forth in the Right of Way Handbook and Landscape Handbook. The proposed landscape and irrigation plan shall not negatively affect safety, drainage, or ongoing maintenance. All vegetation placed in the right-of-way by abutting property owners within County-owned rights-of-way or easements shall be maintained by the abutting property owner at their sole expense and risk. Should it become necessary for the County or its agents, contractors or permittee to remove any vegetation within County-owned rights-of-way or easements for whatever reason, the owners will not be reimbursed for any costs associated with said action unless specifically noted in an approved permit.

EXHIBIT A

***When the construction activity impedes the traffic flow (arterial or collector), a certified Maintenance of Traffic plan, shall be submitted to the Permit Section prior to start of work.**