

ORDINANCE NO. 1991(1)

AN ORDINANCE OF HOPKINS COUNTY, KENTUCKY, RELATING TO THE INSTALLATION OF UTILITIES ACROSS THE COUNTY ROAD SYSTEM.

The Hopkins County Fiscal Court has determined that it is in the best interest of Hopkins County and the maintenance of the county road system to establish a permitting process providing for the installation of utility lines, including but not limited to water, electricity, gas, telephone and sewer lines, across or under county roads in the county road system.

The Hopkins County Fiscal Court has determined that when a utility line must be installed across or under a paved county road, that the road should be bored and that the blacktop should not be cut, unless the engineer determines boring said road is not feasible.

The Hopkins County Fiscal Court has further determined that when utility lines must be installed across or under gravel roads in the county road system, that the person or entity installing the utility line should be responsible for and replace and repair the road to its original condition after said utility line is installed.

NOW THEREFORE, BE IT HEREBY ORDAINED by the County of Hopkins, Commonwealth of Kentucky, as follows:

1. That prior to the installation of utility lines across or under any county road in the county road system, that the person or entity seeking to install a utility line (gas line,

water line, electricity line, telephone line, sewer line or other utility across or under said road) shall obtain a permit from Hopkins County.

2. This permit shall be issued by the County Engineer, after the County Engineer has determined the method by which the utility line shall be installed under or across the county road.

3. That all blacktop roads shall be bored, and the blacktop shall not be cut or disturbed, until the County Engineer, with the consent and approval of the County Judge/Executive and the Hopkins Fiscal Court, determines that said road must be cut or should be cut.

4. That the County Engineer may issue permits to persons or entities seeking to install utility lines across or under a gravel county road, without the requirement of boring said road, provided that the person or entity shall pay the costs of and shall restore the gravel road to it's original condition.

5. That any road damaged or cut by any person or entity, for the installation of a utility line (gas line, water line, electricity line, telephone line, sewer line or any other utility line) shall be restored to it's original condition prior to the disturbance of said roadway, by the person or entity installing the utility line. Any additional costs or damages incurred because of the installation of the utility line shall be the responsibility of the person installing said utility line.

PENALTY FOR VIOLATION OF SAID ORDINANCE:

BE IT FURTHER ORDAINED that any person convicted of a violation of this ordinance shall be fined not less than Five Dollars (\$5.00) nor more than One Hundred Dollars (\$100.00). Each day of violation shall constitute a separate offense.

UPON MOTION by Welch, seconded by Purdy, first reading held on the 4th day of January, 1991.

Melvin D. Hicklin
Melvin D. Hicklin
Hopkins County Judge/Executive

Attest:

William T. Brooks
William T. Brooks, Clerk

On Motion of Welch and seconded by Lynn, second reading held on the 1 day of Feb, 1991, and passed on the 1 day of Feb, 1991.

Melvin D. Hicklin
Melvin D. Hicklin
Hopkins County Judge/Executive

Attest:

William T. Brooks
William T. Brooks, Clerk