



Recommendation for Action

File #: 22-1756, Agenda Item #: 30.

5/5/2022

Posting Language

Approve an ordinance amending City Code Title 14 (*Use of Streets and Public Property*) to remove certain fee and inspection requirements.

Lead Department

Austin Transportation Department.

Fiscal Note

This item has no fiscal impact.

For More Information:

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Additional Backup Information:

The Austin Transportation Department (ATD) issues permits to coordinate work in the City's right-of-way (ROW) and to manage related impacts on mobility. The amendments update these ROW management practices by revising City Code to:

- Align with current business practices that require city-owned utilities to apply for a ROW permit. Permit applications inform ATD when and where both public and private entities desire to work in the ROW. These applications enable ATD to effectively coordinate all entities working in the ROW and thus avoid conflicts between multiple entities desiring to work in the same area at the same time. Information from the application also enables ATD to actively manage traffic flow near the work area (e.g., adjust signal timing, communicate information to the public) and coordinate with first responders and transit providers. This amendment removes City Code Section 14-11-101(A).
- Remove the fee waiver for emergency permits. Although ATD collects other ROW permit fees to cover related costs of service, ATD does not currently collect fees for emergency permits. ATD does, however, expend City resources on emergency permits to review, inspect, and manage these permits. This amendment removes City Code Section 14-11-135(C).
- Remove language related to paying fees when permit holders violate permit conditions or when an entity working in the ROW does not have a permit. Instead, ATD will continue to first inform the permit holder about the violation (e.g., work zone traffic control is not setup according to the approved plan accompanying the permit) and what is needed to correct it. These conversations typically address most permit violations. In rare instances when those conversations are not successful, ATD will use ROW enforcement mechanisms provided in City Code (e.g., stop work orders, suspend or revoke permits) as needed. Ensuring compliance with permit conditions is necessary to address mobility and safety aspects that could put the traveling public, work crews, and/or infrastructure at risk. This amendment removes City Code Sections 14-6-4(F)(6), (G)(5), (H)(5) and 14-11-132(D)(2).

Strategic Outcome(s):

Mobility, Government that Works for All.