

(First Published in the Columbus News Report \_\_\_\_\_, 2023)

**ORDINANCE NO. 1509**

**AN ORDINANCE BY THE GOVERNING BODY OF THE CITY OF COLUMBUS, KANSAS, AMENDING CHAPTER 34, STREETS AND SIDEWALKS, ARTICLE II, DIVISION 2, EXCAVATIONS AND CONSTRUCTION, SECTION 34-64, EXCAVATION FEES AND RESTORATION, OF THE CODE OF ORDINANCES OF THE CITY OF COLUMBUS, KANSAS.**

**WHEREAS**, excavation standards shall be upgraded to assure restoration of streets and alleys back to the original condition.

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF COLUMBUS, KANSAS:**

**SECTION 1.** The Code of Ordinances for the City of Columbus, Kansas, Chapter 34 - Streets and Sidewalks, Article II, Division 2, Excavations and Construction, Section 36-64 Excavation Fees and Restoration, shall be amended and updated as follows:

**CHAPTER 34 - STREETS AND SIDEWALKS**  
**ARTICLE II, Division 2 - Excavations and Construction**

**Sec. 34-64 - Excavation fees and Restoration**

(a) A fee shall be charged by the city clerk for excavation construction work affecting city streets and alleys. The excavation fee shall be in addition to all other fees for permits or charges relative to any proposed construction work. The excavation fee shall be determined based on the type of surface to be opened, dug or excavated under the permit issued and paid promptly after completion of the excavation and construction work, as follows:

**Excavation Fees**

Excavation Fees Minimum fee, excavation area up to 36 square feet	\$350.00
Excavation area over 36 square feet:	
Streets paved with asphalt—per square foot	\$4.00
Streets paved with asphalt, concrete and bitulithic on broken rock—per square foot	\$4.00
Alleys or rights-of-way with AB-3 or pile run chat—per square foot	\$2.00

**(b) It is the responsibility of the excavator to restore the street or alleyway to its previous state upon completion. The contractor or excavator must use the same or similar materials to repair the street or alleyway and restore the area to its original depth and condition. The contractor or excavator must notify the City Superintendent upon completion, and the City Superintendent will inspect the work. If a contractor or excavator fails to restore the street or alleyway to its previous state, repair charges, inclusive of all materials, supplies, labor, and other considerations may be assessed to the contractor by the city.**  
(Code 2014, § 13-206)

**SECTION 2:** All ordinances and resolutions and parts thereof in conflict are hereby expressly repealed in so far as they conflict herewith.

**SECTION 3. EFFECTIVE DATE.** This ordinance shall take effect and be in force on the stated effective date and from and after publication in the official newspaper of the City of Columbus, Kansas.

**SECTION 4. PASSED AND APPROVED.** Passed by the Governing Body of the City of Columbus, Kansas, this 15<sup>th</sup> day of May, 2023.

  
\_\_\_\_\_  
Grant Spieth, Mayor

ATTEST:

  
\_\_\_\_\_  
Ruth Hutley, City Clerk

(Seal)

