

Resolution 1941-05

RESOLUTION FIXING THE AMOUNT TO BE PAID FOR PERMITS
TO DIG IN ANY PUBLIC ROAD IN THE CITY OF BELLE MEADE

WHEREAS, on the date that the City of Belle Meade was incorporated there were in existence in that portion of Davidson County included within the corporate limits, many and sundry easements belonging to public utilities and private businesses which had long been recognized and constituted property rights; and

WHEREAS, while recognizing all such easements as property rights established prior to the rights acquired by the City of Belle Meade by virtue of its incorporation, no system or plan for the future expansion or replacement of equipment incident to the exercise of such easements has been adopted; and

WHEREAS, in Davidson County for many years the plan which has been followed in dealing with this same matter, is outlined in Section 34 of Chapter 519 of the Private Acts of 1927, supplemented by resolution adopted March 3, 1928, by the Davidson County Highway Department and recorded in Minute Book 3, page 34 of said Department; and

WHEREAS, it is deemed wise for the City of Belle Meade to deal with the matter in the same fair and impartial manner, which has proven so successful in Davidson County,

NOW, THEREFORE, Be It Resolved by the Board of Commissioners of the City of Belle Meade, that pursuant to the power vested in the City of Belle Meade by Code Section 3528(15) to regulate the use of public highways, streets, etc. within the corporate limits of the City, no person, firm or corporation shall open, tear up or dig any ditch or trench in any pike or public road for any purpose without first obtaining a written permit from the Board of Commissioners, and pay therefor the Following amounts:

Oiled Roads and Pikes

Excavating <u>across</u> oiled pike or road, ditch not over 2 ft in width	\$7.50
Excavating <u>in or to center</u> of oiled road or pike, ditch not over 2 ft.	5.00
Excavating in oiled pike or road <u>lengthwise with same</u> , per lineal foot30

Macadam Roads

Excavating <u>across</u> macadam pike or road, ditch not over 2 ft in width	5.00
Excavating <u>in or to center</u> of macadam pike or road... ..	3.00
Excavating in pike or road, <u>lengthwise with same</u> , per lineal ft.20

Penetrated or Permanent Roads

Excavating <u>across</u> permanent oil penetrated pike or road	15.00
Excavating <u>in or to center</u> of permanent oil penetrated road, etc.	7.50
Excavating in permanent oil penetrated road or pike, <u>lengthwise</u> with same, per lineal foot30

Other Excavations

All excavations further than 2 foot from edge of pavement to 1 foot beyond center line of ditch, per lineal foot10
All excavations beyond 1 ft. center line of ditch and in right of way per lineal foot05
MINIMUM EXCAVATION FEE on any road	1.00

BE IT FURTHER RESOLVED, That the person, firm or corporation to whom permit has been issued shall refill and tamp well, the excavation made to not less than 3 inches or more than 4 inches above the original surface.

BE IT FURTHER RESOLVED, That this resolution take effect from and after its adoption.

Adopted May 13, 1941

By The Commissioners of the City of Belle Meade X

Mayor Cooney seconded the motion. The vote resulted as follows:

Yea: Mr. Henry, Mr. Cooney

H. P. Cooney, Mayor

Lowarterfield
Vice-Mayor

Walter B. Howell
Recorder

Date of Adoption:
May 13, 1941

Douglas Henry
Commissioner

**Original Resolution not found. Copied from minute book February 16, 2009 by City Recorder Linda Berner.