



Legislation Details (With Text)

File #: 25-031 **Version:** 1 **Name:** AN ORDINANCE AMENDING SECTION 203 (APPLICATION FOR LICENSE; FEES; TERM; BOND AND INSURANCE REQUIREMENTS; SUSPENSION OR REVOCATION) OF PART 2 (EXCAVATIONS) OF ARTICLE 3 (STREETS AND PUBLIC WAYS) OF CHAPTER 3 (PUBLIC PROPERTY AND PUBLIC WORKS) OF THE CODE O

Type: Informational Report **Status:** Mayor's Office

File created: 12/30/2024 **In control:** City Council

On agenda: 2/11/2025 **Final action:** 2/11/2025

Title: Ordinance No. 25-18 Amending Section 203 (Application For License; Fees; Term; Bond and Insurance Requirements; Suspension or Revocation) of Part 2 (Excavations) of Article 3 (Streets and Public Ways) of Chapter 3 (Public Property and Public Works) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to Excavator Stop Work Orders.

Presenter:
Gayle Sturdivant, PE, PMP, City Engineer/Deputy Public Works Director
Tyra Sandy, PE, Engineering Program Manager/Assistant City Engineer

Sponsors:

Indexes:

Code sections:

Attachments: 1. 1_PW-ExcavatorStopWorkOrder-ORD-2024-11-26, 2. 2_Presentation, 3. Signed Ordinance No. 25-18.pdf

Date	Ver.	Action By	Action	Result
2/11/2025	1	City Council	finally passed	Pass
1/28/2025	1	City Council	approved on first reading	Pass
1/13/2025	1	Council Work Session	referred	

Ordinance No. 25-18 Amending Section 203 (Application For License; Fees; Term; Bond and Insurance Requirements; Suspension or Revocation) of Part 2 (Excavations) of Article 3 (Streets and Public Ways) of Chapter 3 (Public Property and Public Works) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to Excavator Stop Work Orders.

Presenter:

Gayle Sturdivant, PE, PMP, City Engineer/Deputy Public Works Director
Tyra Sandy, PE, Engineering Program Manager/Assistant City Engineer

Summary:

The ordinance amends Section 3.3.203 of the City Code to permit the issuance of stop work orders to contractors for personal or private property damages, working without a permit, and non-compliance with permit requirements.

Background:

The City is currently facing numerous instances of contractors, especially fiber companies, installing infrastructure within public rights-of-way (ROW) and, at times, utilizing Public Utility Easements (PUE) on private property (such as lot line easements). This practice has raised significant safety concerns and led to complaints from residents when work is performed on their property within the PUE. To address these issues, Public Works is collaborating with the City Attorney's Office, with support from outside counsel, to appropriately permit work within these PUEs.

Historically, City staff have issued stop work orders to contractors conducting work within the ROW without a permit or performing non-compliant work. However, it was recently discovered that the City Code does not sufficiently empower City staff to issue these stop work orders (SWO). The proposed ordinance aims to provide this essential tool to enhance permitting and oversight of work within the ROW and PUE.

Previous Council Action:

N/A

Financial Implications:

N/A

City Council Appointed Board/Commission/Committee Recommendation:

N/A

Stakeholder Process:

N/A

Alternatives:

Disapproval of the ordinance will allow contractors to continue their current practices, resulting in ongoing safety concerns and disruptions to residents.

Proposed Motion:

Recommend approval of Ordinance No. 25-18 to allow City staff to issue stop work orders for improper work conducted within the right-of-way (ROW) or public utility easement (PUE).

N/A