

ORDINANCE NO.: 2014-031

ORIGINAL
STAMPED IN RED

Granting an encroachment to Technetics Group LLC/EnPro Industries, LLC for installation and maintenance of conduit and fiber optic cable within the right of way area of the 2700 block of The Boulevard adjacent to its buildings at 2791 The Boulevard and 2770 The Boulevard, Richland County TMS No.: 13512-02-03 and 13512-01-01

WHEREAS, Technetics Group LLC/EnPro Industries, LLC, (hereinafter "Grantees") desires to utilize a portion of the right of way area of the 2700 block of The Boulevard adjacent to its buildings at 2791 The Boulevard and 2770 The Boulevard, Richland County TMS No.: 13512-02-03 and 13512-01-01, for installation and maintenance of conduit and fiber optic cable approximately 1,300 ft. in length, as shown on the attached drawing; and,

WHEREAS, it appears that the encroachment will not interfere with the use of the sidewalk or street for traffic, utility locations or other uses within the foreseeable future; NOW, THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Columbia, South Carolina, this 22nd day of April, 2014 that Grantee, its successors and assigns is hereby granted the right to utilize a portion of the right of way area of the 2700 block of The Boulevard adjacent to its buildings at 2791 The Boulevard and 2770 The Boulevard, Richland County TMS No.: 13512-02-03 and 13512-01-01, for installation and maintenance of conduit and fiber optic cable approximately 1,300 ft. in length, as shown on the attached drawing.

ALL WORK SHALL COMPLY with the requirements of The City of Columbia and South Carolina Department of Transportation now in existence or hereafter enacted. The materials and type of finish to be used are to be approved by the City Engineer prior to installation. Any damage to the street or sidewalk caused by construction shall be repaired to the satisfaction of the City Manager. Improvements within the encroachment shall be maintained by the grantee at no cost to the City in a manner approved by the City Manager.

PROVIDED, HOWEVER, that in exercising the privileges granted under this ordinance, Grantee, his successors and assigns, will indemnify and save harmless the City from any and all claims or causes of action which may arise by reason of the construction or maintenance of the aforesaid encroachment.

PROVIDED FURTHER that the privilege granted hereby is subject to the Grantee complying with the following conditions, restrictions or limitations:

1. No item, including landscaping, shall be placed, planted or allowed to grow such that it creates a visual impediment to persons safely entering or exiting driveways or parking spaces, or to persons safely walking along the sidewalk. The City reserves the right to remove or cut any item located within the right of way which it deems to be a safety hazard.
2. Grantee is responsible for all maintenance of items approved by this ordinance for placement within the right of way area and assuring that all accessibility and ADA requirements are met and maintained.
3. Obstructions of more than be four (4') feet in height are prohibited within the sight-visibility triangle.

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4. All trees shall be protected and no large tree roots shall be removed from any existing trees, nor shall trees be located too close to streetlights.

PROVIDED FURTHER that the privilege granted hereby may be modified or terminated by Columbia City Council at any time without notice to the Grantee, his successors and assigns.

PROVIDED FURTHER that a certificate of insurance be issued as evidence of general liability insurance with at least the minimum amount of \$600,000.00 for personal injury and property damage and naming the City as an insured, be provided to and filed annually with the City Clerk by Grantee, his successors and assigns, as required by Chapter 11, Licenses, Permits, Business Regulations, Article III, Contractors, Sec. 11-71, 1998 Code of Ordinances of the City of Columbia, South Carolina.

BE IT FURTHER ORDAINED that Grantee, in consideration of the above privilege, shall at his expense provide for protection and relocation of all utilities that might be within this area to the satisfaction of the City Manager.

Requested by:

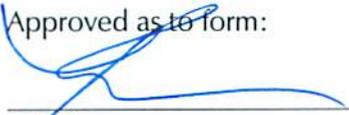
Technetics Group LLC/
EnPro Industries, LLC

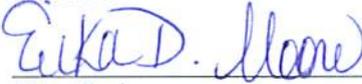

MAYOR

Approved by:


City Manager

Approved as to form:


City Attorney
Introduced: 4/8/2014
Final Reading: 4/22/2014

ATTEST:

City Clerk

**CITY COUNCIL
ENCROACHMENT SUMMARY
2014-031**



**2700 BLOCK OF THE BOULEVARD AND 1000 BLOCK OF SECOND AVENUE
ADJACENT TO 2791 AND 2770 THE BOULEVARD
THE TECHNETICS GROUP LLC / ENPRO INDUSTRIES LLC
CONDUIT AND FIBER OPTIC CABLE**

Subject Property:	Right-of-Way adjacent to 2791 and 2770 The Boulevard, 2700 Block of The Boulevard and 1000 Block of Second Avenue, TMS#13512-02-03 and 13512-01-01
Council District:	3
Proposal:	The applicant is requesting an encroachment for installation and maintenance of conduit and fiber optic cable
Applicant:	Technetics Group LLC / EnPro Industries LLC
Staff Recommendation:	Approval

Detail:	<p>The applicant is requesting an encroachment for the installation and maintenance of conduit and fiber optic cable approximately one thousand three hundred (1,300') feet in length, as shown on the attached drawing.</p> <p>Conditions of the proposed encroachment are as follows:</p> <ol style="list-style-type: none"> 1. No item, including landscaping, shall be placed, planted or allowed to grow such that it creates a visual impediment to persons safely entering or exiting driveways or parking spaces, or to persons safely walking along the sidewalk. The City reserves the right to remove or cut any item located within the right of way which it deems to be a safety hazard. 2. Grantee is responsible for all maintenance of items approved by this ordinance for placement within the right of way area and assuring that all accessibility and ADA requirements are met and maintained. 3. Obstructions of more than be four (4') feet in height are prohibited within the sight-visibility triangle. 4. All trees shall be protected and no large tree roots shall be removed from any existing trees, nor shall trees be located too close to streetlights.
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CITY AGENCY COMMENTS FOR ENCROACHMENT	
Planning & Development Services	Recommend approval.
Streets	Recommend approval.
Utilities and Engineering	Recommend approval.
Traffic Engineering	Recommend approval.
Forestry	Recommend approval.
Land Development	Recommend approval.
Fire	Recommend approval.

REQUEST FOR AN ENCROACHMENT ORDINANCE

For a continuing encroachment on any type of property in which the City has an interest (i.e., rights of way, tree zone, sidewalk, streets), the person or entity is required to have an encroachment ordinance enacted by City Council permitting the encroachment. Encroachment ordinances are required for but not limited to: irrigation systems; landscaping; fencing; walls; pavers; walkways; outdoor dining items (chairs, tables, umbrellas, etc.); awnings; bollards and directional signs (i.e., churches) Business signs are NOT permitted via an encroachment. An encroachment must comply with all existing City codes, rules and regulations, the Americans with Disabilities Act, if applicable, and is subject to review and approval by City staff. Enactment of the encroachment ordinance by a majority vote of City Council, which is a discretionary legislative act, is also required. In order to obtain an encroachment ordinance from the City of Columbia, it will be necessary for the City of Columbia to be named as an additional insured on your homeowners' policy with limits being increased to \$600,000 as required by Sec. 11-71. It is recommended that you contact your insurance provider to determine if it will name the City of Columbia as an additional insured prior to submitting your request for an encroachment ordinance. If you have any questions concerning these requirements, please contact Chip Timmons with Risk Management.

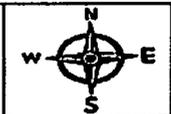
Please complete and submit this form along with any attachment(s) to Shari Ardis by e-mail at slardis@columbiasc.net ; fax at 803-737-4250; or mail to Shari Ardis, Legal Department, POB 147 Columbia, SC 29217, for preparation of an encroachment ordinance. Copies to City departments should be directed to the contact person for that department as shown below and not through the Legal Department. Chip Timmons with Risk Management (733-8306 or catimmons@columbiasc.net) should be contacted regarding the insurance requirements.

Date: 10-Mar-2014 Property Owner: Technetics Group LLC / EnPro Industries LLC
 Applicant's Name if different from Property Owner: Jason Adams
 Contact Information: Telephone Number: 803-695-3551 Fax Number: 803-783-9003
 Mailing address: PO Box 9889 Columbia, SC 29290 E-mail address: Jason.adams@techneticsgroup.com
 Encroachment Location (Address): 2791 The Blvd. Columbia, SC 29209
 (If corner lot, include name and block number of side street, i.e., 1737 Main Street and 1100 block of Laurel Street)
 Tax Map Number for Encroachment Location: R13512-02-03

Encroachment type: Wall Fence Columns Steps Irrigation System Landscaping Driveway Pavers
 Walkway/Side walk Underground Utilities other
 If Other - specify: _____
 Dimensions (height/width/length): _____

(i.e., 6'x42' wooden privacy fence; two 12"x4' concrete step; two 12"x12" x24" brick columns; 4'x15' brick paver walkway)
 Construction material: 2 inch schola so PVC Poly concrete hand holes, 1700 sq ft cda
 Please provide photographs and drawing or site plan drawn to scale - no larger than 8-1/2 x 11.

Church Directional Signs (Must provide picture or drawing of proposed signs that reflect dimensions)
 Location(s) signs are to be placed (i.e. Northeast corner of Main Street) _____



Businesses only: Outdoor dining No. of chairs: _____ No. of Tables _____
 Hours of operation for outdoor dining: _____
 Number of planters: _____ Awning: _____ (dimensions - size/material) _____
 Other: plastic fabric awning (or complete applicable "Encroachment type" section above)

The proposed ordinance will be sent to the requesting party and City offices for review and approval. Johnathan Chambers will compile the recommendations and forward them to the City Clerk for scheduling before City Council. This process may take from 30-90 days.

CONTACT	DEPARTMENT	PHONE	FAX	E-MAIL
Krista Hampton	Development Services (Administration)	803-545-3420	803-733-8647	kmhampton@columbiasc.net
Johnathan Chambers	Development Services (Land Development)	803-545-3333	803-343-8779	jechambers@columbiasc.net
Nancy Lee Trihey	Development Services (Planning)	803-545-3222	803-733-8647	nltrihey@columbiasc.net
John Fellows	Development Services (Planning)	803-545-3222	803-733-8647	jsfellows@columbiasc.net
Brian Cook	Development Services (Zoning)	803-545-3332	803-733-8647	kbcook@columbiasc.net
Jerry Thompson	Development Services (Building Inspections)	803-545-3420	803-733-8699	jllthompson@columbiasc.net
Fanessa Pinckney	Development Services (Permits)	803-545-3420	803-733-8699	fcpinckney@columbiasc.net
Amy Moore	Development Services (Historic Preservation)	803-545-3222	803-733-8647	aemoore@columbiasc.net
Joey Jaco	Utilities & Engineering (Administration)	803-545-3400	803-988-8199	jdjaco@columbiasc.net
Dana Higgins	Utilities & Engineering (Construction Management)	803-545-3372	803-545-4130	dnhiggins@columbiasc.net
Robert Anderson	Public Works (Administration)	803-545-3780	803-733-8648	raanderson@columbiasc.net
Robert Sweat	Public Works (Street Division)	803-545-3790	803-545-3785	rgsweat@columbiasc.net
David Brewer	Public Works (Traffic Engineering)	803-545-3850	803-733-8648	ddbrewer@columbiasc.net
Sara Hollar	Public Works (Forestry & Beautification)	803-545-3880	803-733-8648	sehollar@columbiasc.net
John Hooks	Public Works (Solid Waste)	803-545-3800	803-733-8648	jphooks@columbiasc.net
Fred Delk	Columbia Development Corporation	803-988-8040	803-988-8039	cdc@columbiasc.net
Chip Timmons	Risk Management	803-733-8308	803-733-8245	catimmons@columbiasc.net
George Adams	Fire Department	803-545-3701	803-401-8839	cfdgadams@columbiasc.net
Gerald Koon	Fire Department	803-545-3701	803-401-8839	cfdgkoon@columbiasc.net
John David Spade	Parking Services	803-545-3070	803-733-8523	spade@columbiasc.net

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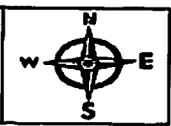
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 Applicant's Name if different from Property Owner: Technetics Group LLC / Jason Adams
 Contact Information: Telephone Number: 803-695-3551 Fax Number: 803-783-9003
 Mailing address: PO Box 9889 Columbia, SC 29290 E-mail address: Jason.adams@techneticsgroup.com
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(i.e., 6x42' wooden privacy fence; two 12x4' concrete step; two 12x12' x24" brick columns; 4x15' brick paver walkway)
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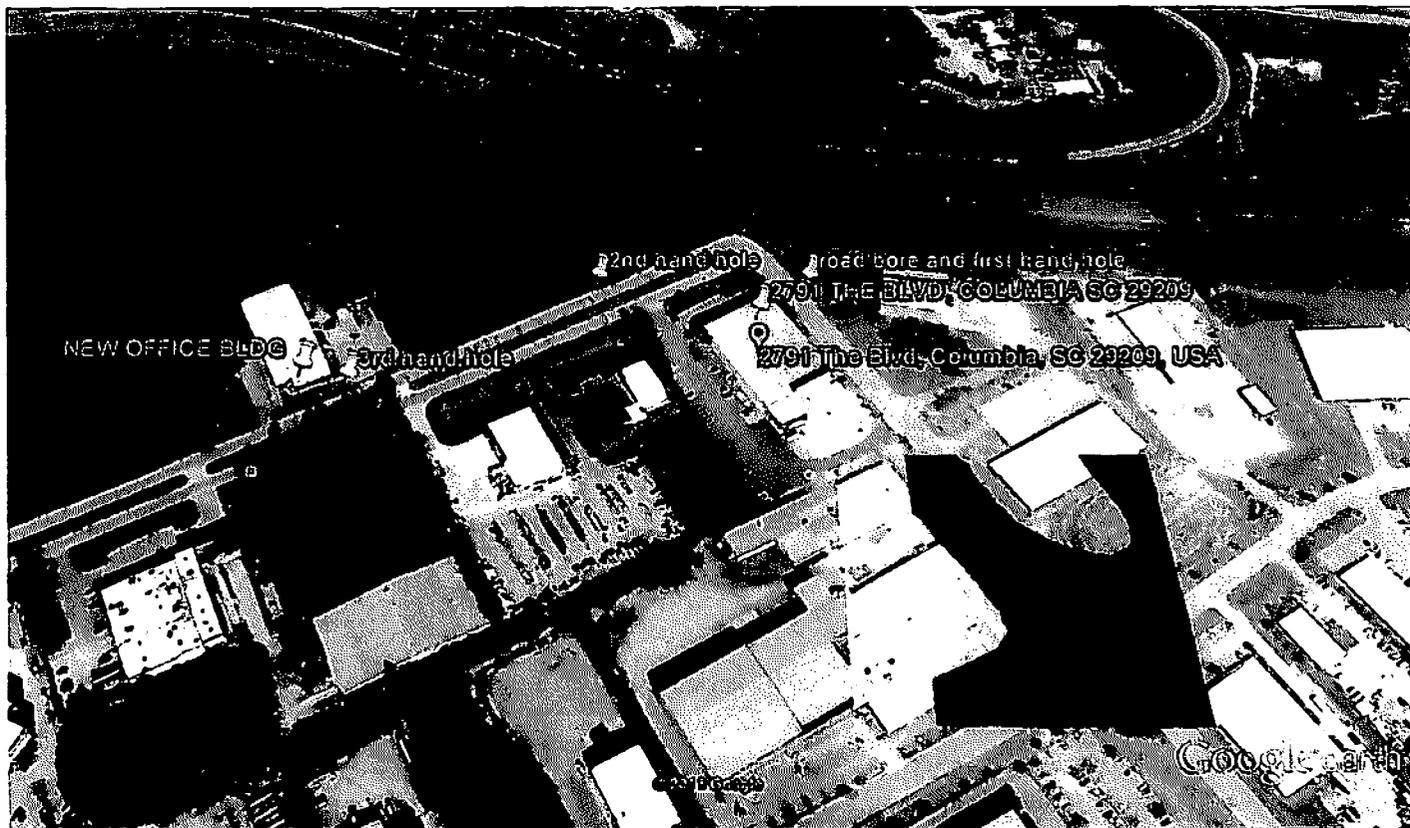


Businesses only: Outdoor dining No. of chairs: _____ No. of Tables _____
 Hours of operation for outdoor dining: _____
 Number of planters: _____ Awning: _____ (dimensions - size/material) _____
 Other: 18x12 176 cable (or complete applicable "Encroachment type" section above)

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Google earth

feet
meters

