

**CITY OF BEAUFORT**



1911 Boundary Street  
BEAUFORT, SOUTH CAROLINA 29902  
**SPECIAL MEETING AND WORKSESSION**  
October 18, 2011

Planning Conference Room-1<sup>st</sup> Floor  
**1911 Boundary Street**

**SPECIAL MEETING**

I. **Call to Order** – Mayor Billy Keyserling **5:00 PM**

II. **New Business**

- A. Ordinance regarding Undergrounding of Overhead Lines and Low Voltage providers – 1st Reading
- B. Consideration of Consent to the State Issued Certificate of Franchise Authority for Hargray Communications

**WORKSESSION**

III. **Boards and Commission Interviews**

Jane Sidwell – Historic District Review Board or Tourism Development Advisory Committee

IV. **Discussion Items**

- A. ATAX

**NOTE: IF YOU HAVE SPECIAL NEEDS DUE TO A PHYSICAL CHALLENGE, PLEASE CALL IVETTE BURGESS 525-7070 FOR ADDITIONAL INFORMATION**

**STATEMENT OF MEDIA NOTIFICATION**

"In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, all local media was duly notified of the time, date, place and agenda of this meeting."

## **ORDINANCE**

AN ORDINANCE TO REGULATE AND PROHIBIT THE CONSTRUCTION, MAINTENANCE, OR CONTINUANCE OF ABOVE-GROUND LOW-VOLTAGE UTILITY LINES IN AREAS WITH THE CITY WHERE POWER UTILITIES ARE PLACING THEIR TRANSMISSION AND DISTRIBUTION LINES UNDERGROUND

WHEREAS, the City holds the public streets, public rights-of-way and other public property (hereinafter collectively referred to as “public streets”) within its municipal boundaries as assets in trust for its citizens who have invested substantial funds to construct and properly maintain those assets; and,

WHEREAS, the City strives to keep its public streets in a state of good maintenance and repair, free from unnecessary congestion and obstruction; and,

WHEREAS, in furtherance of this goal, the City has adopted a policy to request, and at times require, electric utilities to place electric cable and other wires underground to alleviate the congestion, safety hazard, and visual obstruction of having such wires above ground on utility poles; and,

WHEREAS, various low voltage cable providers utilize space on these utility poles to provide cable service to the same customers as the electric utility; and,

WHEREAS, at such time as the electric utility places its lines underground, the opportunity exists for the low voltage cable provider to utilize the trenching to similarly place its cable underground, thereby eliminating the utility pole, and the overhead cable; and,

WHEREAS, the continuation of low voltage cable lines on utility poles under such circumstances is detrimental and not in furtherance to the aesthetic and environmental values of the City, as it continues the congestion and obstruction of overhead wires and utility poles; and,

WHEREAS, the City, in its maintenance of the general welfare, convenience, and order within the City limits, seeks to establish an orderly and efficient method of ensuring that low voltage cable lines are removed and placed underground, and that utility poles within the City are removed as soon as possible;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Beaufort, South Carolina, duly assembled and by authority of same, that, at such time as electric utility lines are removed from existing utility poles and placed underground by the electric utility, it shall be unlawful for low voltage cable providers to refuse the written offer by the electric utility to place the low voltage cable in the utility trench and to remove the same from the utility pole. Such refusal and failure by the cable operator shall constitute grounds for the denial and/or revocation of the cable franchise within the City limits.

This ordinance shall become effective upon adoption.

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BILLY KEYSERLING, MAYOR

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(SEAL)

Attest:

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IVETTE BURGESS, CITY CLERK

1<sup>st</sup> Reading

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2<sup>nd</sup> Reading & Adoption

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Reviewed by:

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WILLIAM B. HARVEY, III, CITY ATTORNEY