

Sec. 40-35. - Excavation in new streets limited.

Whenever the Council determines to provide for the permanent improvement or repaving of any street, such determination shall be made not less than 30 days before the work of improvement or repaving shall begin. Immediately after such determination by the Council, the Director of Public Works shall notify in writing each person, utility, City department or other agency owning or controlling any sewer, water main, conduit or other utility in or under said street or any real property abutting said street, that all such excavation work in such street must be completed within 30 days. After such permanent improvement or repaving, no permit shall be issued to open, cut or excavate said street for a period of five years after the date of improvement or repaving unless in the opinion of the Board of Public Works an emergency exists which makes it absolutely essential that the permit be issued.

(Code 1980, § 5.11(F))