

**ORDINANCE NO. 1095**

**AN ORDINANCE OF THE CITY OF KYLE, TEXAS PROVIDING FOR UTILITIES TO BE INSTALLED UNDERGROUND; AND PROVIDING FOR RELATED MATTERS**

**WHEREAS**, the City of Kyle is a home rule municipality; and,

**WHEREAS**, the City Council finds that the regulations established herein are adopted for the purpose of promoting the public health, safety, and welfare, the economic health and development of the City, and the aesthetic welfare of the City;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS:**

**Section 1.** The findings set forth in the Ordinance are hereby in all things approved.

**Section 2.** Section 50-1 of the City of Kyle Code of Ordinances is amended to read as follows:

Any person, company, entity, or utility installing or causing to be installed any utility or service line within the city shall install such utility or service line underground. Utility or service line shall include, but not be limited to water, wastewater, gas, electric, cable, internet, fiber, and propane lines. In unique or unusual circumstances, a person may request an exception to the requirements of this section by submitting a written request for an exception to the City Engineer. The City Engineer may grant an exception if an exception is required by applicable building codes or for public safety reasons. The City Engineer's decision may be appealed in writing to the Planning and Zoning Commission within ten days of the City Engineer's decision. The Commission's decision may be appealed to the City Council within ten days of the Commission's decision. The City Council's decision will be final.

**Section 3.** To the extent any resolution or ordinance previously adopted by the Council in inconsistent with this Ordinance, it is hereby amended to the extent of a conflict herein.

**Section 4.** The meeting at which this Ordinance was approved was in all things conducted in compliance with Texas Open Meetings Act, Texas Government Code, Chapter 551, as modified by Governor Abbott.

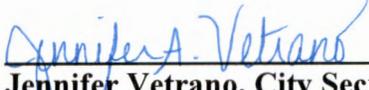
**Section 5.** This Ordinance shall become effective from and after its passage.

**PASSED AND APPROVED THIS THE 19th DAY OF MAY, 2020**

**PASSED AND FINALLY APPROVED THIS THE 2nd DAY OF JUNE, 2020**

  
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**Travis Mitchell, Mayor**

**ATTEST:**

  
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**Jennifer Vetrano, City Secretary**