

Sponsored by: Puto  
Introduction Date: January 9, 2007  
Public Hearing Dates: January 9 and 23, 2007  
Enactment date: January 23, 2007

**CITY OF MARATHON, FLORIDA  
ORDINANCE 2007-01**

**AN ORDINANCE OF THE CITY OF MARATHON, FLORIDA,  
CREATING SECTION 16-8 STANDARDS FOR UTILITY PERMITTING  
AND ROAD AND BRIDGE CONSTRUCTION AND REPAIRS;  
PROVIDING FOR THE REPEAL OF ALL CODE PROVISIONS AND  
ORDINANCES INCONSISTENT WITH THIS ORDINANCE;  
PROVIDING FOR SEVERABILITY; PROVIDING FOR  
INCORPORATION INTO THE CITY OF MARATHON CODE; AND  
PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City of Marathon (the “City”) has jurisdiction over certain streets, roads and bridges located within the boundaries of the City;

**WHEREAS**, the City wishes to establish standards to govern (i) utility permitting on City rights-of-way, and (ii) road and bridge construction and repairs within the City;

**WHEREAS**, the Florida Department of Transportation (“FDOT”) has adopted standards for utility permitting and construction and repairs on state roads and bridges; and

**WHEREAS**, the City now wishes to adopt the FDOT standards for purposes of utility permitting and work performed on City streets, roads and bridges;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE  
CITY OF MARATHON, FLORIDA, AS FOLLOWS:**

**Section 1.** The above recitals are hereby confirmed and adopted.

**Section 2.** Section 16-8 of the City Code is hereby created to read as follows:

**Sec. 16-8. Standards for Road and Bridge Construction and Repairs**

**All utility permitting on rights-of-way and construction, repairs and maintenance of roads, streets and bridges located in the City of Marathon which are owned by or dedicated to the City shall be performed in accordance with the following:**

- 1. The Florida Department of Transportation Utility Accommodation Manual (latest edition),**

- 2. The Florida Department of Transportation Standard Specifications for Road and Bridge Construction (latest edition), and**
- 3. The Florida Department of Transportation Design Standards for Design, Construction, Maintenance and Utility Operation on the State Highway System (latest edition).**

**The City Manager or his designee may, in his sole discretion, grant exceptions to certain aspects of these standards on a case-by-case basis.**

**Section 3.** If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

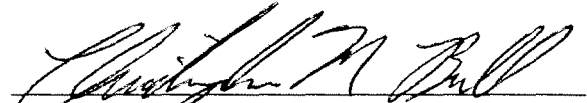
**Section 4.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

**Section 5.** The provisions of this ordinance shall be included and incorporated in the Code of The City of Marathon, Florida, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

**Section 6.** This Ordinance shall be effective immediately upon enactment.


**ENACTED BY THE CITY COUNCIL OF THE CITY OF MARATHON,  
FLORIDA, this 23<sup>rd</sup> day of January 2007.**

**THE CITY OF MARATHON, FLORIDA**

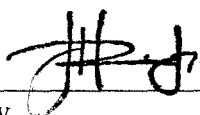
  
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**Christopher M. Bull, Mayor**

AYES:           Worthington, Pinkus, Mearns, Tempest, Bull  
NOES:           None  
ABSENT:       None  
ABSTAIN:      None

**ATTEST:**

  
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Diane Clavier  
City Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE  
AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:**

  
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City Attorney