



**CITY OF GREENACRES
DEVELOPMENT AND NEIGHBORHOOD SERVICES DEPARTMENT
POLICY AND PROCEDURE**

POLICY # PDO-011
ISSUED: 9/17/2021
EFFECTIVE: 10/1/2021

SUBJECT: Utility Easement Holder Agreements

CROSS REFERENCE: Chapter 11, Article I, Section 11-1 City Code

PURPOSE: The purpose of this policy is to establish criteria when new utility easement agreements are required to be obtained for a building permit.

According to the City of Greenacres Zoning Code: It shall be unlawful to obstruct, block off, fence or appropriate to exclusive private use, any easement or right-of-way without prior consent of the city. All applications for such permission shall be accompanied by consents from each utility, if any, utilizing such easement or right-of-way.

- POLICY:**
1. Petitioner shall obtain consents from each utility holder if the building permit shows encroachment into the easement.
 2. If the petitioner is replacing an existing structure within an easement where a building permit and utility consents were obtained in the past, petitioner shall be required to obtain new consents from each utility holder under the following conditions:
 - a. If one or more utility consents previously obtained are not from existing utility providers as of the date of the building permit application submittal as determined by the Building Department.
 - b. If the previous utility consents are more than ten (10) years old from the date of the building permit application submittal.
 3. Petitioner will be permitted to use a Hold Harmless Agreement in lieu of utility consents if a concerted effort was made by the petitioner to obtain the utility consents and a reasonable time period has elapsed with no response from one or more of the existing utility providers.

PROCEDURE: The Neighborhood and Development Services Department will require new utility consents in accordance with the requirements of this policy.

REVISED:

Kara L. Irwin-Ferris
Development and Neighborhood Services Director