

**CITY OF SOMERVILLE**  
**ORDINANCE NO. 2022-**  
**IN CITY COUNCIL: \_\_\_\_\_, 2022**

Be it ordained by the Somerville City Council in session assembled, that Chapter 11, Article III, Division 2, Section 11-63 of the Code of Ordinances of the City of Somerville is hereby amended as follows by removing the ~~struckthrough~~ text and adding the underlined text:

**Sec. 11-63 – Removing poles, conduits, and wires.**

- (a) No pole shall be removed without permission of the city council, ~~except as provided in this section.~~
- (b) The city council may order the removal of ~~having first given the person to whom such permission is granted, or the person operating any poles, conduits and/or wires thereunder, opportunity to be heard, may, if in its judgment the interests of the public so require, or if each and all of the conditions, terms and requirements to be observed and performed under said permission are not complied with, order that said poles, conduits and wires, or any of them, shall be removed, and that such person shall thereupon remove the same; and if such person neglects to execute such order within 30 days after the passage thereof, the board may cause the order to be executed, and the expense thereof shall be paid by such person to the city.~~ by an entity granted permission to lay conduit and/or wires, or erect poles, or who is operating such, after granting said entity an opportunity to be heard, if:
- (1) In the city council's judgment removal is in the best interest of the public; or,
- (2) The entity operating the poles, conduits, and/or wires has not complied with all the conditions, terms, and requirements associated with the grant of permission to lay conduit and/or wires, or erect poles.
- (c) If an entity neglects to execute an order to remove poles, conduits, and/or wires within 30 days after its passage by the city council, they shall be subject to a fine in accordance with the provisions of section 1-11(b). Each location at which poles, wires, and/or conduits should have been removed and have not shall be considered a separate violation of this section. the city council may order the Commissioner of Public Works to remove the poles, conduits, and/or wires in question, at the expense of the operating entity.

Be it further ordained by the city council that Section 1-11(b) of the Code of Ordinances of the City of Somerville is hereby amended to include the following:

<u>Offense</u>	<u>Fine</u>	<u>Enforcing Personnel</u>
<u>Failure to remove poles, conduits, and/or wires</u>	<u>\$300 per day</u>	<u>Commissioner of Public Works; Inspectional services</u>

Approved:

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President

Approved:

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Mayor