

**UTILITY CUT ORDINANCE – ZONING ORDINANCE  
CITY OF DIAMONDHEAD**

**1. PURPOSE**

- 1.1 The purpose of these guidelines is to establish standard procedures to ensure that entities which cut and excavate streets owned by the City have the knowledge, competence and resources needed to perform the scope of work for which they are permitted. It also provides focus on the need for better coordination and accountability and for employing less intrusive, more durable, and cost-efficient methods for restoring utility cuts within paved roads.

**2. PERMIT APPLICATION AND NON-CONFORMANCE**

2.1 Permitting

- 2.1.1 Any work in the City of Diamondhead maintained street, alley, or right-of-way requires a permit from the City. This permit allows a utility company, a contractor hired by the utility company, or an individual to conduct the work within the right-of-way. Approval of the City is required prior to starting the work.

2.2 Non-Conformance

- 2.2.1 Failure to comply with applicable permitting requirements would be considered a violation of City of Diamondhead Zoning Ordinance Section

2.3 Permit Inspections

- 2.3.1 Prior to proceeding with the utility cut, the Building Department shall be notified by the permit applicant to verify that the cutting limits and the repair procedures have been agreed upon and approved by a representative of the City. Inspection requests shall be made to the Building Department by the permittee at least two (2) days prior to the inspection.
- 2.3.2 For any street closures, approval is required from the City prior to commencing work. The Contractor should request the closure 2 business days prior to the requested work. All emergency personnel, Police and Fire Department, should be notified as well.
- 2.3.3 Replacement of aggregate base or flowable fill shall not be performed until the trench is inspected and approved by a representative of the City.
- 2.3.4 At the completion of the installation of the aggregate base or flowable fill, the City shall be requested to inspect the backfill. After acceptance of the backfill, the asphalt pavement can be applied.

### **3. CONSTRUCTIBILITY**

3.1 The conditions described below apply to all work done within the public right-of-way such as utility line installation or repairs performed by any contractor or utility department, public or private.

3.2 The roadway should be constructed in accordance with City of Diamondhead Ordinance 308.18.1.

#### **3.3 Protection of Existing Improvements**

3.3.1 The contractor shall at all times take proper precautions and be responsible for the protection of existing street surfaces, driveway culverts, street intersection culverts or aprons, irrigation system, mailboxes, driveway approaches, curb, gutter, sidewalks, utilities, and all other identifiable installations that may be encountered during construction.

3.3.2 Existing improvements to adjacent property such as landscaping, fencing, utility services, driveway surfaces, etc., that are not to be removed shall be protected from injury or damage resulting from the contractor's operations.

3.3.3 The contractor shall at all times take proper precautions for the protection of property pins/corners and survey control monuments encountered during construction. Any damaged or disturbed survey markers shall be replaced by a registered land survey at the contractor's expense.

3.3.4 The repair of any damaged improvements as described above shall be the responsibility of the permit holder.

#### **3.4 Removals**

3.4.1 Any roadway surface will only be cut and/or excavated as described in the permit.

3.4.2 Existing pavements and bases shall be saw cut to clean, straight lines that are perpendicular or parallel to the flow of traffic. Expansion joints removed shall be replaced.

3.4.3 The minimum width of any cut repairs shall be four feet to allow for a roller.

3.4.4 All repairs shall have a 2-foot minimum cutback on all sides except the edge of the pavement.

3.4.5 Asphalt repair adjacent to curb and gutter along a roadway and greater than 24-inches shall have full lane width paving.

3.4.6 Diagonal repairs will be required to be squared off, milled, and paved.

3.4.7 The surface repair of all irregular-shaped excavations shall always be a rectangle with parallel sides that are perpendicular to the direction of travel of the roadway.

3.4.8 The repairs shall be in compliance with these guidelines and the latest edition of the Mississippi Standard Specifications for Road and Bridge Construction.

- 3.4.9 Concrete shall be removed to neatly sawed edges to full depth for sidewalks and curb and gutter and shall be cut in straight lines either parallel to the curb or perpendicular to the alignment of the sidewalk or curb.

### 3.5 Backfill

- 3.5.1 Subgrade should be 6" minimum compacted to 95% Standard Proctor.
- 3.5.2 The final lift, comprised of road base material shall be 6" of 610 Limestone Base or 8" Soil Cement meeting MDOT Specification for Granular Base Course (Limestone) and shall be compacted to ninety-five percent (95%) standard Proctor density.

### 3.6 Asphalt

- 3.6.1 The construction requirements shall be as prescribed in Sections 401 and 403, Mississippi Standard Specification for Road and Bridge Construction, latest edition, and/or all current Special Provisions.
- 3.6.2 Asphalt shall be 2" Minimum 9.5mm, ST, Hot Bituminous Surface Course and 4" Minimum 12.5mm, ST, Hot Bituminous Base Course.
- 3.6.3 Acceptable thickness of the specified lift shall be in accordance with Section 401.02.4 of the Mississippi Standard Specifications for Road and Bridge Construction, Latest edition, by mixture.
- 3.6.4 The depth of asphalt patches in asphalt streets shall typically be the depth of the existing asphalt surface plus 1 inch or as specified by the City Representative.
- 3.6.5 When excavation for laterals crosses a lane at a frequency of 2 or more lateral excavations within 100 feet of each other, the repair shall include the milling and paving for the full lane width and a minimum of 2 feet beyond the furthest lateral excavation.
- 3.6.6 When excavations exceed 20 feet in length, contractor shall follow typical asphalt detail (CCE-211). This includes 6" or of 610 Limestone Base or 8" Soil Cement meeting MDOT Specification for Granular Base Course (Limestone) and shall be compacted to ninety-five percent (95%) standard Proctor density. Followed by 1 ½" 12.5mm, ST, hot bituminous base course asphalt, and finished with 1 ½" 9.5mm, ST, hot bituminous surface course asphalt.

### 3.7 Restoration

- 3.7.1 The permittee shall be responsible for repairing all damage to the street resulting from cutting the pavement and/or excavation of or boring under a street.
- 3.7.2 Any damage, even superficial, to existing asphalt surface in the vicinity of the work area shall be repaired at the expense of the Contractor, including but not limited to gouges, scrapes, outrigger marks, backhoe bucket marks, etc.
- 3.7.3 Any disturbed pavement markings must be restored to current MDOT standards.
- 3.7.4 Any traffic control devices which are affected by any work done in the roadway shall be repaired or replaced in compliance with criteria set forth in the latest edition of the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD).

- 3.7.5 Traffic markings should be replaced to match the existing markings. All traffic markings shall be non-slip thermoplastics. Traffic marking areas shall be thoroughly cleaned and prepared in accordance with manufacturers' recommendations. Equipment used to clean the pavement shall not damage the surface. Traffic marking shall be placed in accordance with manufacturers' recommendations. Markings shall be placed in a manner that will result in true and straight lines and the satisfaction of the Building Department. Any lines placed outside of these parameters shall be removed and replaced at the contractor's expense. Newly placed markings shall be protected so that, insofar as possible, paint will not be damaged by pedestrian or vehicular traffic.
- 3.7.6 Any disturbed grass areas within the City ROW, medians, or private properties will need to be regraded and sodded or seeded to match existing conditions.

### 3.8 Maintenance

- 3.8.1 The permittee shall protect the traveling public by proper warning signs and/or signals both day and night until the street is fully repaired. Warning signs and signals shall be installed by, and at the expense of, the permittee and in accordance with the street closures.
- 3.8.2 The permittee shall maintain the area of the street cut until final acceptance of the work.
- 3.8.3 The permittee shall hold the City, the agencies thereof, and their officers/employees harmless from any and all loss/damage which may arise out of or be connected with the work performed under any permit issued hereunder.
- 3.8.4 The work performed shall be free from workmanship defects for a period of one (1) year after date of acceptance by the City.
- 3.8.5 The Permittee shall guarantee to repair or replace any defective work. This guarantee is part of the permittee promise of performance. Under special circumstances, the City may require the Permittee to provide a performance bond issued by an acceptable surety company. The permittee guarantee and bond shall continue for a period of three years after the work has been finally accepted by the City.

## 4. MATERIALS

- 4.1 The permittee shall ensure that all materials meet the requirements of MDOT Specifications.
- 4.1.1 Base course material shall be dense-graded crushed domestic limestone, plant mixed to conform to size NO. 610 per MDOT Specifications.
- 4.1.2 Geotextile fabric used under crushed limestone shall meet the requirements of Type V in Table 1 of Section 714.13.11 of the Mississippi Standard Specifications for Road and Bridge Construction, 2017 Edition.
- 4.1.3 Hot Bituminous Pavements shall meet the requirements of Section 401 and all other referenced sections of the Mississippi Standard Specifications for Road and Bridge Construction, latest edition.

- 4.1.4 Traffic Markings shall be as specified in Sections 625 – Painted Traffic Markings and 626 – Thermoplastic Traffic Markings and all other referenced sections of the Mississippi Standard Specifications for Road and Bridge Construction, latest edition.

**5. PROTECTION OF THE CITY'S STORMWATER SYSTEM**

- 5.1 The permittee shall protect all stormwater systems – including drainage appurtenances located adjacent to the construction site. The protection measures used shall be designed to prevent the discharge of pollutants to any portion of the stormwater system.
  - 5.1.1 The permittee shall be responsible for the removal of all construction debris, dirt, trash, rock, sediment, sand, or other pollutants that may accumulate in the stormwater conveyance system and stormwater appurtenances as a result of construction activities associated with a permit.
  - 5.1.2 No person shall cause the impediment of stormwater flow in the flow line of the curb and gutter. The permittee shall prevent sediment, debris, and all other pollutants from entering the stormwater system during all phases of construction.
  - 5.1.3 The cleaning of concrete delivery truck chutes or other equipment is prohibited at the job site.
  - 5.1.4 The permittee shall remove and properly dispose of all waste products generated by said cutting operations on a daily basis.
  - 5.1.5 The discharge of any water contaminated by waste products from cutting operations to the storm sewer system is prohibited.
  - 5.1.6 The discharge to the storm sewer system of water used for flushing off paved surfaces is prohibited, unless measures have been taken to remove pollutants from the discharge.

ORDAINED, ADOPTED AND APPROVED by the Mayor and City Council of the City of Diamondhead, Hancock County, Mississippi at its regular meeting held on the \_\_\_ day of \_\_\_\_\_, 2026.

MOTION made to adopt the foregoing Ordinance was made by Council Member \_\_\_\_\_ and SECONDED by Council Member \_\_\_\_\_ and the foregoing having first been reduced to writing, was submitted to a Roll Call Vote, the result was as follows:

	Aye	Nay	Absent
Councilmember Finley	_____	_____	_____
Councilmember Sheppard	_____	_____	_____
Councilmember Harwood	_____	_____	_____
Councilmember Clark	_____	_____	_____
Councilmember Maher	_____	_____	_____
Mayor Liese	_____	_____	_____

Whereupon the Mayor declared the motion carried and the Ordinance adopted this the \_\_\_\_\_ day of \_\_\_\_\_, 2026.

CITY OF DIAMONDHEAD, MISSISSIPPI

BY: \_\_\_\_\_  
Anna Liese  
MAYOR

ATTEST:

\_\_\_\_\_