

## **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

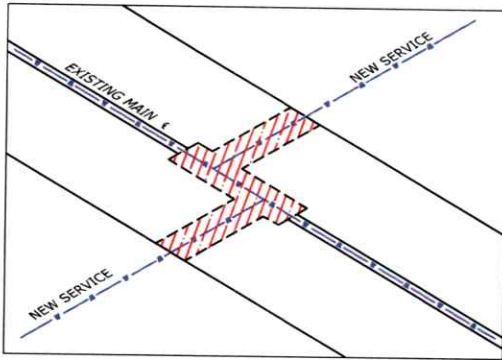
- 5.1 The permittee shall protect all stormwater systems – including drainage appurtenances located adjacent to the construction site. The protection measures used shall be designed to prevent the discharge of pollutants to any portion of the stormwater system.
- 5.1.1 The permittee shall be responsible 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.

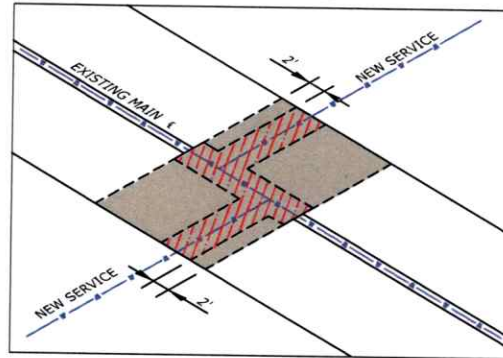
MOTION made to adopt the foregoing Ordinance was made by Council Member \_\_\_\_\_ and SECONDED by Council Member \_\_\_\_\_ and the foregoing having first been reduced to writing, was submitted to a Roll Call Vote, the result was as follows:

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

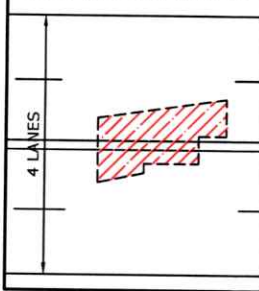
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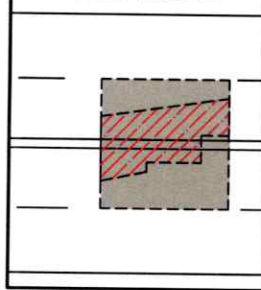
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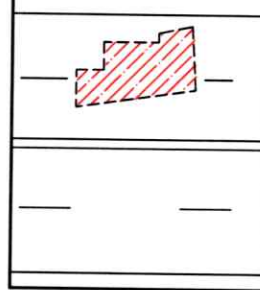
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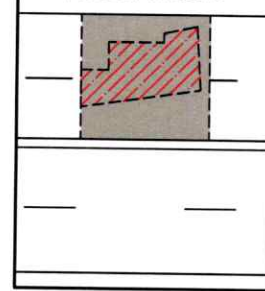
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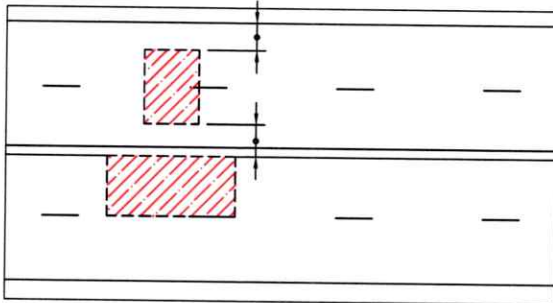
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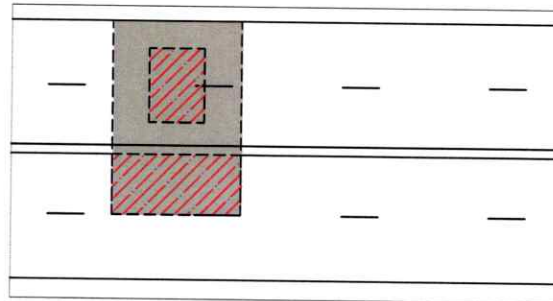
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NOT ACCEPTABLE



ACCEPTABLE



**LEGEND**

-  EXISTING PAVEMENT
-  FULL DEPTH REPAIR
-  MILL/PAVE

**PAVEMENT & UTILITY CUT  
REPAIR STANDARDS**

NORTH ARROW

PREPARED BY:



228-396-0486 . WWW.CCELLC.US  
2300 14th Street  
Gulfport, Mississippi 39501

PREPARED FOR:

CITY OF DIAMONDHEAD

PROJ NUMBER:

16175

LOCATION:

DIAMONDHEAD, MS

SCALE:

N.T.S.

DESIGN:

S. MCLELLAN

DRAWN:

T, PARKER

DATE:

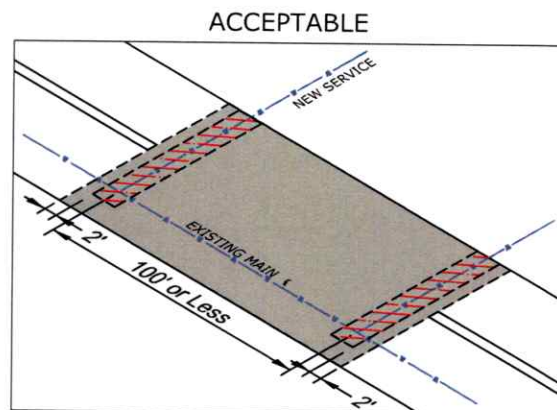
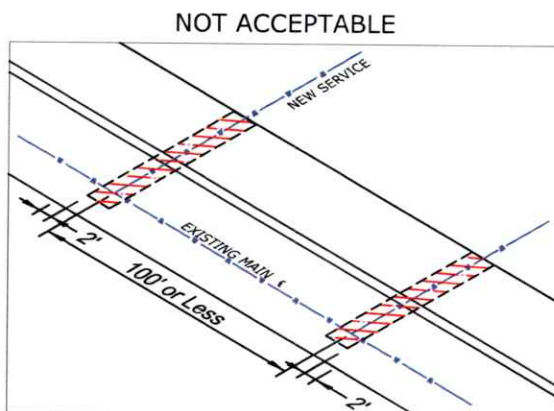
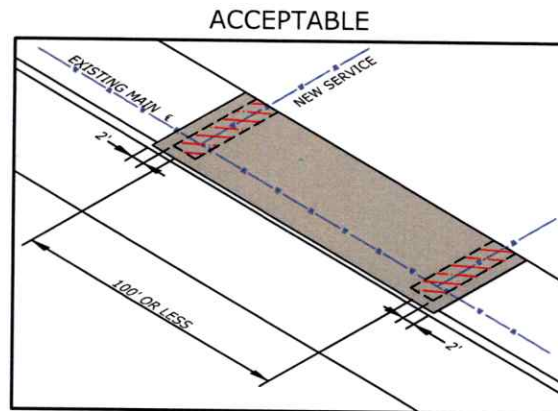
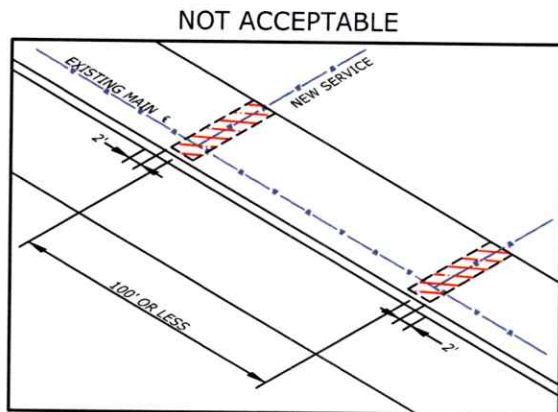
SEPT 2025

TITLE:

CITY OF DIAMONDHEAD STANDARD CONSTRUCTION DETAILS

SHEET:

FIG. 1



LEGEND

-  EXISTING PAVEMENT
-  FULL DEPTH REPAIR
-  MILL/PAVE

PAVEMENT & UTILITY CUT  
REPAIR STANDARDS

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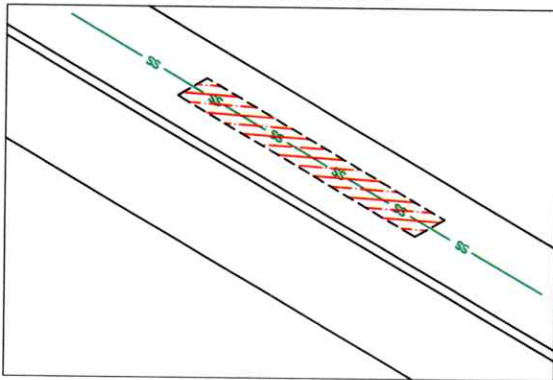
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SHEET:

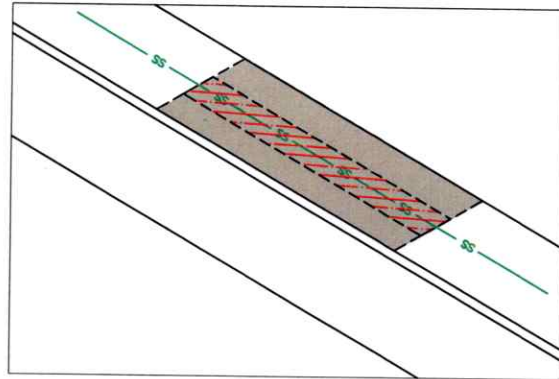
FIG. 2



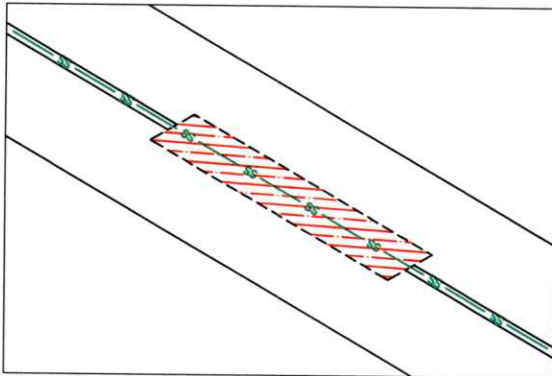
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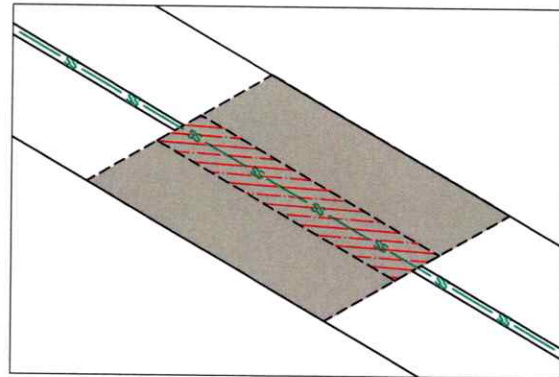
ACCEPTABLE



NOT ACCEPTABLE



ACCEPTABLE



**LEGEND**

-  EXISTING PAVEMENT
-  FULL DEPTH REPAIR
-  MILL/PAVE

**PAVEMENT & UTILITY CUT  
REPAIR STANDARDS**

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SEPT 2025

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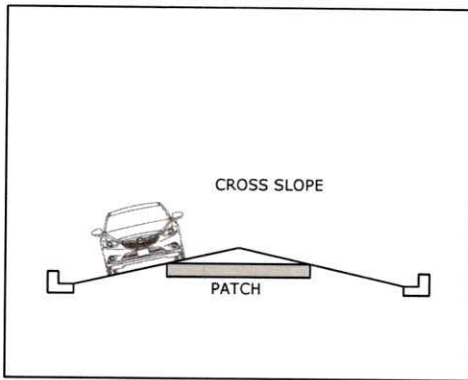
CITY OF DIAMONDHEAD STANDARD CONSTRUCTION DETAILS

SHEET:

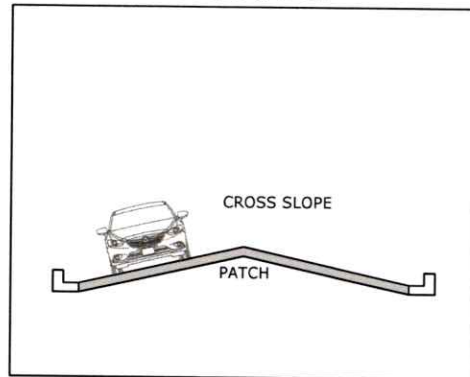
FIG. 3



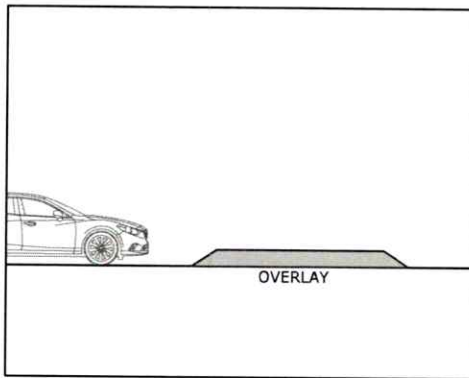
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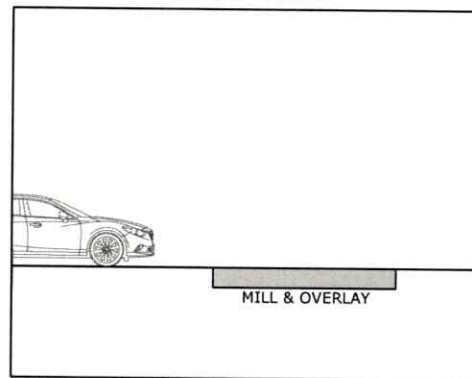
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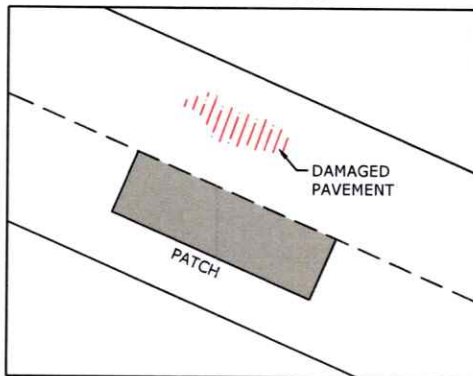
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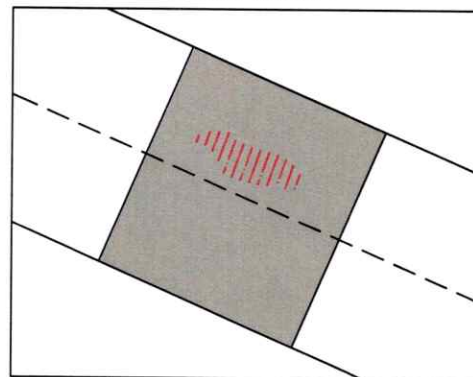
ACCEPTABLE



NOT ACCEPTABLE



ACCEPTABLE



**PAVEMENT MILL / OVERLAY  
REPAIR STANDARDS**

NORTH ARROW

PREPARED BY:



228-396-0486 . WWW.CCELLC.US  
2300 14th Street  
Gulfport, Mississippi 39501

PREPARED FOR:

CITY OF DIAMONDHEAD

PROJ NUMBER:

16175

LOCATION:

DIAMONDHEAD, MS

SCALE:

N.T.S.

DESIGN:

S. MCLELLAN

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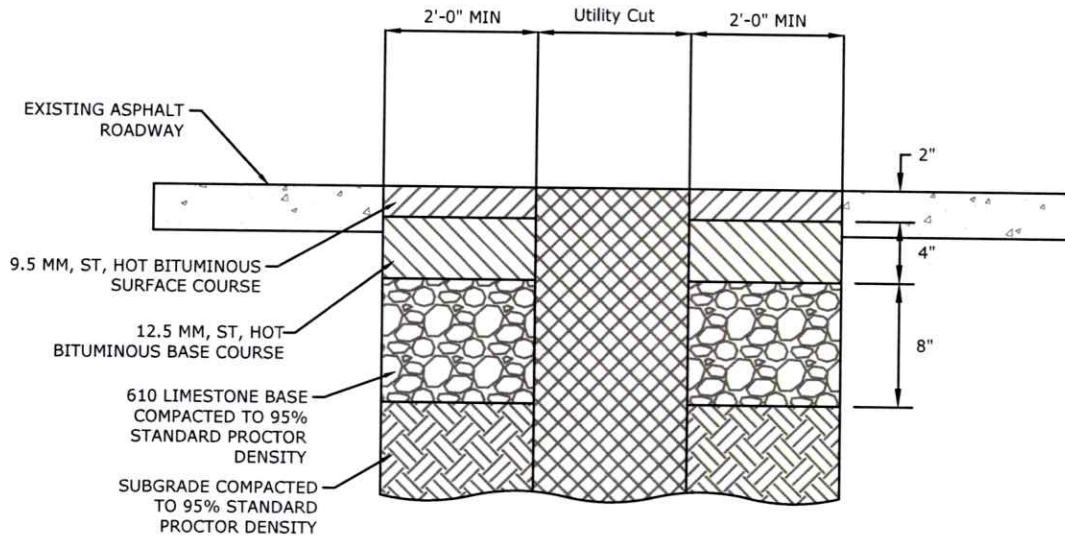
SEPT 2025

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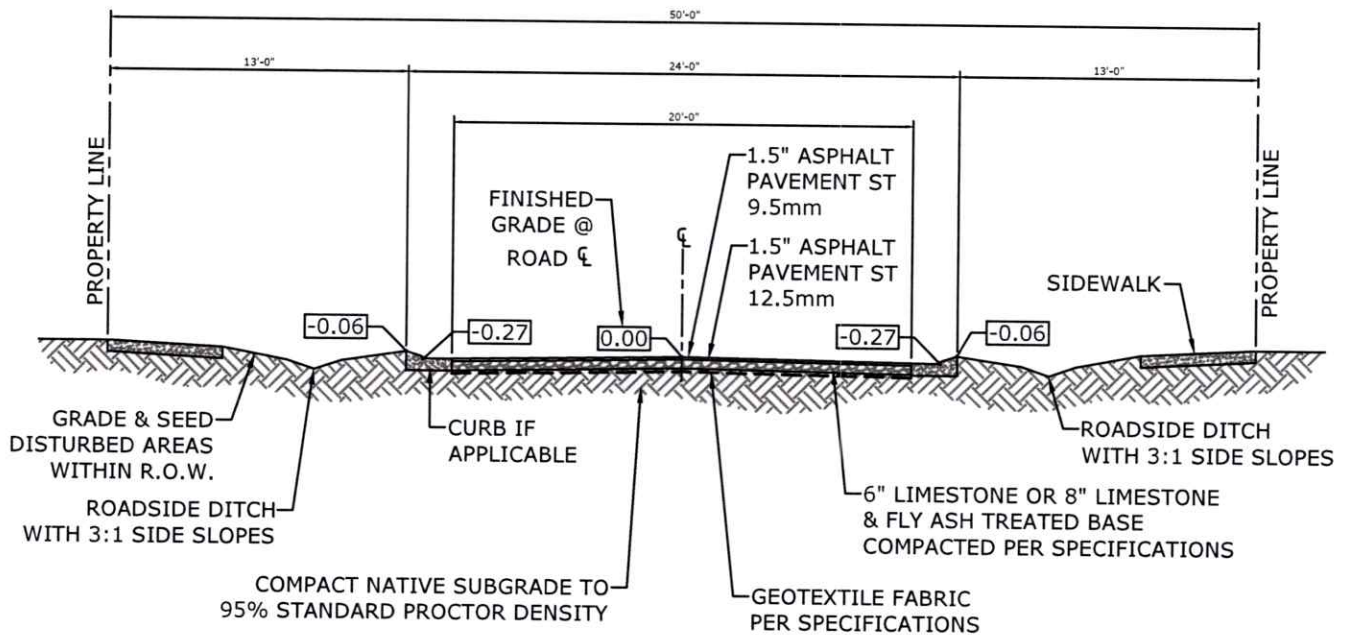
CITY OF DIAMONDHEAD STANDARD CONSTRUCTION DETAILS

SHEET:

FIG. 4



**TYPICAL UTILITY PATCH**



**TYPICAL ROADWAY SECTION**

NORTH ARROW

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SEPT 2025

TITLE:

CITY OF DIAMONDHEAD STANDARD CONSTRUCTION DETAILS

SHEET:

FIG. 5

Permit No: \_\_\_\_\_



**PERMIT APPLICATION FOR THE CONSTRUCTION, REPAIR,  
OR ADJUSTMENT OF A UTILITY**

Date Submitted: \_\_\_\_\_

Ward: \_\_\_\_\_

Utility Company: \_\_\_\_\_  
(Name & Address)

Utility Company Representative: \_\_\_\_\_  
(Name & Phone #)

Represented By: \_\_\_\_\_  
(Name, Address, & Phone # if a contractor or engineer is submitting the application for the utility company)

Herein called Applicant, proposes to (check one or more): ☐ Construct ☐ Repair ☐ Adjust

Along and across \_\_\_\_\_  
(Name of Street)

said work to be accomplished between \_\_\_\_\_  
(Name of Street)

and \_\_\_\_\_ in the City of  
Diamondhead, (Name of Street)

Mississippi, MS One Call No: \_\_\_\_\_ for requiring a temporary closure time  
of \_\_\_\_\_ days and hereby make application to the City of Diamondhead for a Permit.  
Attached hereto are drawings or plans for the proposed work, which will not be changed or  
altered without approval of the Building Department, or the authorized representative.

The Applicant shall be responsible for future maintenance and repair of the utility facility. The  
Applicant shall make future adjustments in, or relocate, the facilities when required for highway  
widening or other highway construction, and its right to reimbursement of its costs, if any, shall  
be in accordance with State law in effect at the time such adjustment or relocation is made.  
Further, any maintenance, repair, or construction shall be done in such manner as to occasion the  
least possible interference with the normal flow and safety of traffic.

A general description of the size, type, nature, and extent of the Utility work to be done is as  
follows:

\_\_\_\_\_  
\_\_\_\_\_

The Applicant understands and agrees that, except as herein stated, no right, title, claim, or easement to said road right-of-way is granted by the issuance of this permit and that if this Utility Facility is not placed within the allowable horizontal and vertical limits as described herein, it will be adjusted to comply with same without cost to the City, unless a variance has been approved by the granting of the Permit pursuant to this Application.

The Applicant further understands that the Utility's engineering, plant or other personnel will be responsible for the staking and construction supervision of the work set out above and as shown on the attached plans. The Applicant further understands and agrees that subsequent to the installation of the Applicant's facilities that the right-of-way and road surface will be restored to their original condition or better, and that the City of Diamondhead Building Department or a duly authorized representative will inspect the completed work and any modifications or adjustments which are needed as determined by the Building Department will be immediately corrected by the Applicant.

I. The Applicant also agrees to adhere to the following regulations:

1. Pay all Fees, if applicable;
2. Submit a Performance Bond per City Ordinance;
3. Provide Compaction Testing of Soils as required;
4. All road surfaces which are excavated to permit a utility crossing will be repaired as per Diamondhead Utility Cut Ordinance – Zoning Ordinance 19;
5. Asphalt shall be repaired within 10 business days of completing work within the project area;
6. Area of work to be dressed and finished such that the project site will be in as good or better condition after the utility installation; and,
7. Relocation at Request of the City. Upon its receipt of reasonable notice, not to be less than forty-five (45) days, except where emergency conditions require shorter notice, the Company shall, at its own expense, protect, support, temporarily disconnect, relocate in the rights-of-way, or remove from the rights-of-way, any property of the Company when lawfully required by the City by reason of traffic conditions, public safety, street abandonment, freeway and street construction, change or establishment of street grade, installation of sewers, drains, gas or water pipes, electrical or telecommunications lines, when such installation or construction is being done directly by or for the City. Should the Company refuse or fail to remove its equipment or plant as provided for herein within forty-five (45) days after written notification, the City shall have the right to do such work or cause it to be done, and the reasonable cost thereof shall be chargeable to the Company.

II. The City of Diamondhead agrees to the following stipulations:

1. To cooperate with the Utility Company in every way to avoid conflicts in the location, construction, and maintenance of the City Roadway and Utility Facility;
2. To use any and all legal means to see the City standards, except to the extent of a variance shown on the plans filed herewith and approved, are complied with in the facility installation;

3. If the City of Diamondhead Building Department or other authorized representative of the Mayor and City Council approves the drawings, sketches, and plans submitted by the Applicant, he shall so indicate by signing and dating the Permit Approval at the end of this Application, and the Applicant may proceed with installation; if the drawings, sketches, and plans are not approved, he or she shall promptly notify the Applicant, and advise it of the reason or reasons. He or she will also act as the duly appointed representative of the Mayor and City Council and will give his approval to the completed work as being in compliance with the location and standards for installation.
4. Should any term or provision of this application Agreement conflict with the law of the State of Mississippi, the Mississippi Constitution, or the United States Constitution, or impair or deny to the Applicant of the City any right protected thereby, it shall be deemed amended to conform to said law or Constitution.

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
(Signature of Applicant)

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
(Signature of Notary Public)

WITNESS the signature of the Applicant this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

## **PERMIT APPROVAL**

Fees to be paid by Applicant:

Initial/Base Permit Filing Fee:

\$ \_\_\_\_\_

(a) Openings or excavations up to 100 feet - \$200.00; and

(b) Openings or excavations over 100 feet - \$2.00 per foot for every foot over 100 feet plus \$100.00.

Street/Right-of-Way Temporary Closure Fee:

\$ \_\_\_\_\_

In addition to any other fees required under this Article, permits requiring the temporary closure of any portion of the City's streets or rights-of-way shall be subject to the following fees:

| Length of Closure       | Application | Inspection |
|-------------------------|-------------|------------|
| 3 days or less          | \$15.00     | \$0.00     |
| 4 days through 10 days  | \$15.00     | \$10.00    |
| 11 days through 20 days | \$15.00     | \$20.00    |
| 21 days through 30 days | \$15.00     | \$30.00    |
| 31 days through 45 days | \$15.00     | \$45.00    |
| 46 days through 90 days | \$15.00     | \$50.00*   |

\*plus \$1.00/day

Closures in excess of ninety (90) days are prohibited.

Total Fees: \$ \_\_\_\_\_

Date Paid \_\_\_\_\_



Bond Requirements:

Every person obtaining a permit shall at the time of receiving the same, make, execute and deliver to the permitting division of the City's Code Office or any authorized representative, a good and sufficient bond, to cover the costs of replacing permanent pavement and any improvements, payable to the City with a surety company doing business in the state as surety thereon, in such amount as the Code Enforcer or his or her designee may require, not less than five thousand dollars (\$5,000.00) nor more than ten thousand dollars (\$10,000.00).

Bond Amount Required: \$ \_\_\_\_\_

Date Bond Received: \_\_\_\_\_

Date Bond Expires: \_\_\_\_\_

Following the process, the Permit for the installation or adjustment of the Utility applied for above is granted pending receipt of fees and bonds.

Approved this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

---

Building Department  
City of Diamondhead, Mississippi

**APPLICANT WILL COMPLETE THE FOLLOWING AND RETURN TO THE CITY  
OF DIAMONDHEAD BUILDING DEPARTMENT**

This Permit Application for the Construction, Repair, or Adjustment of a Utility, we  
are hereby notifying you that all work along and

across \_\_\_\_\_ for Permit  
(Name of Street)

No. \_\_\_\_\_ submitted \_\_\_\_\_, has  
(Date)

been completed to comply with the Standards for the City of Diamondhead as stated in the Permit.

Date Completed: \_\_\_\_\_

Utility Name: \_\_\_\_\_

Representative: \_\_\_\_\_

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**CITY OF DIAMONDHEAD BUILDING DEPARTMENT WILL COMPLETE THE FOLLOWING:**

The City of Diamondhead Building Department or a duly authorized representative has  
inspected the work completed on \_\_\_\_\_ as described in  
(Name of Street)

Permit No. \_\_\_\_\_ submitted \_\_\_\_\_ and finds that  
(Date)

the work: ☐ Does ☐ Does not comply with City of Diamondhead Standards for installation.

Inspected By: \_\_\_\_\_

Date Inspected: \_\_\_\_\_

City Representative: \_\_\_\_\_