



CITY OF EVERMAN

212 North Race Street Everman, TX 76140

STAFF REPORT

AGENDA TITLE:

ORDINANCE NO. 840 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS, AMENDING THE CODE OF ORDINANCES, CITY OF EVERMAN, BY AMENDING CHAPTER 20, "UTILITIES," ARTICLE VIII "UTILITY AND TELECOMMUNICATIONS FACILITIES WITHIN THE RIGHT-OF-WAY" BY AMENDING SECTION 20-343 "RESTORATION OF RIGHT-OF-WAY" AND SECTION 20-347 "PENALTY"; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE AND, IN CASES OF ENDANGERMENT TO PUBLIC HEALTH AND SAFETY, A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

MEETING DATE: August 12, 2025

PREPARED BY: C. W. Spencer

BACKGROUND:

The City of Everman previously adopted standards for restoration of the public right-of-way following utility work. However, spot repairs and inconsistent restoration efforts have contributed to premature degradation of pavement surfaces, increased maintenance costs, and compromised street rideability.

To address these concerns, staff—working with the Public Works Department—has proposed updated restoration standards based on pavement age and condition, requiring more comprehensive surface repairs and enhanced documentation from contractors. These changes are in alignment with regional best practices and reflect updated standards set by the North Central Texas Council of Governments (NCTCOG).

SUMMARY OF ORDINANCE NO. 840 CHANGES:

- **Section 20-343 – Restoration of Right-of-Way:**
 - Introduces restoration requirements based on Pavement Condition Index (PCI), pavement age, and material type (asphalt vs. concrete).
 - Requires curb-to-curb milling and overlay for asphalt cuts in newer streets.
 - Mandates full slab replacement for concrete streets under 2 years old and outlines partial panel allowances for older pavement.

- Requires flowable fill backfill on downtown streets and High Early Strength (HES) concrete for specific repairs.
 - Establishes submission standards for red-line and as-built drawings.
 - Adopts standardized drawings (P-15 and P-16) for partial panel and asphalt replacements.
 - **Section 20-347 – Penalty:**
 - Clarifies and enforces fines up to \$500 per violation, per day, or up to \$2,000 for violations that endanger public health and safety.
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FISCAL IMPACT:

The ordinance is anticipated to reduce long-term street maintenance costs by extending pavement life through proper restoration practices. No direct expenditures are required at this time.

LEGAL REVIEW:

The City Attorney has reviewed and approved the ordinance as to form.

STAFF RECOMMENDATION:

Staff recommends approval of Ordinance No. 840 as presented.