

ORDINANCE NO. : 2016-012

*Granting an encroachment to the University of South Carolina for the use of the right of way areas of the 600 and 700 blocks of Lincoln Street for installation and maintenance of high density polyethylene (HDPE) conduit for the West Campus Dorms adjacent to Richland County TMS #08915-09-01 and 08915-10-01*

ORIGINAL  
STAMPED IN RED

WHEREAS, the University of South Carolina (hereinafter "Grantee") desires to use a portion of the right of way areas of the 600 and 700 blocks of Lincoln Street for installation and maintenance of high density polyethylene (HDPE) conduit for the West Campus Dorms adjacent to Richland County TMS #08915-09-01 and 08915-10-01; as shown on the attached drawings; and,

WHEREAS, it appears that the encroachment will not interfere with the use of the medians or street for traffic, utility locations or other uses within the foreseeable future; NOW, THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Columbia, South Carolina, this 5th day of April, 2016, that Grantee is hereby granted the right to use the right of way areas of the 600 and 700 blocks of Lincoln Street for installation and maintenance of high density polyethylene (HDPE) conduit for the West Campus Dorms adjacent to Richland County TMS #08915-09-01 and 08915-10-01; as shown on the attached drawings.

ALL WORK SHALL COMPLY with the requirements of The City of Columbia, South Carolina Department of Transportation and Federal Emergency Management Agency (FEMA) now in existence or hereafter enacted. The materials and type of finish to be used are to be approved by the City Engineer prior to installation. Any damage to the street or sidewalk caused by construction shall be repaired to the satisfaction of the City Manager. Improvements within the encroachment shall be maintained by the grantee at no cost to the City in a manner approved by the City Manager.

PROVIDED FURTHER that the privilege granted hereby is subject to the Grantee complying with the following conditions, restrictions or limitations:

1. No item, including landscaping, shall be placed, planted or allowed to grow such that it creates a visual impediment to persons safely entering or exiting driveways or parking spaces, or to persons safely walking along the sidewalk. The City reserves the right to remove or cut any item located within the right of way which it deems to be a safety hazard.
2. Grantee is responsible for all maintenance of items approved by this ordinance for placement within the right of way area and assuring that all accessibility and ADA requirements are met and maintained.
3. All trees shall be protected and no large tree roots shall be removed from any existing trees, nor shall trees be located too close to streetlights.
4. Must be installed at a minimum depth of thirty-six (36") inches.

PROVIDED FURTHER that the privilege granted hereby may be modified or terminated by Columbia City Council at any time without notice to the Grantee, its successors and assigns.

BE IT FURTHER ORDAINED that Grantee, in consideration of the above privilege, shall at its expense provide for protection and relocation of all utilities that might be within this area to the satisfaction of the City Manager.

Requested by:

Assistant City Manager Gentry

  
Mayor

Approved by:

  
City Manager

Approved as to form:

  
City Attorney

ATTEST:  
  
City Clerk

Introduced: 3/15/2016  
Final Reading: 4/5/2016

**CITY COUNCIL  
ENCROACHMENT SUMMARY  
2016-012**



**900 BLOCK OF DEVINE STREET  
NETWORK CABLING INFRASTRUCTURES, INC.  
HDPE CONDUIT**

<b>Subject Property:</b>	Right-of-Way within the 900 Block of Devine Street, TMS#08915-09-01 and 08915-10-01 adjacent to the University of South Carolina West Campus Development
<b>Council District:</b>	2
<b>Proposal:</b>	The applicant is requesting an encroachment for installation and maintenance of High Density Polyethylene (HDPE) conduit
<b>Applicant:</b>	Network Cabling Infrastructures, Inc.
<b>Staff Recommendation:</b>	Approval

<b>Detail:</b>	<p>The applicant is requesting an encroachment for the installation and maintenance of conduit and fiber optic cable approximately seventy (70') feet in length, as shown on the attached drawing.</p> <p>Conditions of the proposed encroachment are as follows:</p> <ol style="list-style-type: none"> <li>1. No item, including landscaping, shall be placed, planted or allowed to grow such that it creates a visual impediment to persons safely entering or exiting driveways or parking spaces, or to persons safely walking along the sidewalk. The City reserves the right to remove or cut any item located within the right of way which it deems to be a safety hazard.</li> <li>2. Grantee is responsible for all maintenance of items approved by this ordinance for placement within the right of way area and assuring that all accessibility and ADA requirements are met and maintained.</li> <li>3. All trees shall be protected and no large tree roots shall be removed from any existing trees, nor shall trees be located too close to streetlights.</li> <li>4. Must be installed at a minimum of depth of 36 inches.</li> </ol>
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<b>CITY AGENCY COMMENTS FOR ENCROACHMENT</b>	
<b>Planning &amp; Development Services</b>	Recommend approval.
<b>Streets</b>	Recommend approval. Must be installed with a minimum depth of 36 inches.
<b>Utilities and Engineering</b>	Recommend approval.
<b>Traffic Engineering</b>	Recommend approval.
<b>Forestry</b>	Recommend approval.
<b>Land Development</b>	Recommend approval.
<b>Fire</b>	Recommend approval.



**REQUEST FOR A PERMANENT COMMERCIAL ENCROACHMENT ORDINANCE  
(INCLUDING OUTDOOR DINING/LANDSCAPING/STUDENT HOUSING)**

For a continuing encroachment on any type of property in which the City has an interest (i.e., rights of way, tree zone, sidewalk, streets), the person or entity is required to have an encroachment ordinance enacted by City Council permitting the encroachment. Encroachment ordinances are required for but not limited to: irrigation systems; landscaping; fencing; walls; pavers; walkways; outdoor dining items (chairs, tables, umbrellas, etc.); awnings; bollards and directional signs (i.e., churches) business signs are NOT permitted via an encroachment. Encroachments must comply with all existing City codes, rules and regulations, the Americans with Disabilities Act, if applicable, and are subject to review and approval by City staff. Enactment of the encroachment ordinance by a majority vote of City Council, which is a discretionary legislative act, is also required. In order to obtain an encroachment ordinance from the City of Columbia, it will be necessary for the City of Columbia to be named as an additional insured on your insurance policy with limits being increased to \$600,000 as required by Sec. 11-71. It is recommended that you contact your insurance provider to determine if it will name the City of Columbia as an additional insured prior to submitting your request for an encroachment ordinance. If you have any questions concerning these requirements, please contact Chip Timmons with Risk Management, (803) 733-8306 or catimmons@columbiasc.net.

Please complete and submit this form along with photographs and drawings or site plan drawn to scale (including a 8-1/2 x11) to Johnathan Chambers by e-mail at jechambers@columbiasc.net; fax at 803-343-8779; or mail to Johnathan Chambers, Development Services, POB 147 Columbia, SC 29217, for preparation of an encroachment ordinance. Copies to City departments should be directed to the contact person for that department as shown below.

All work shall comply with the requirements of the City of Columbia and South Carolina Department of Transportation now in existence or hereafter enacted. The materials and type of finish to be used are to be approved by the City Engineer prior to installation. Any damage to the street or sidewalk caused by construction shall be repaired to the satisfaction of the City Manager. Improvements within the encroachment shall be maintained by the grantee at no cost to the City in a manner approved by the City Manager. Property owned, operated and maintained by SCDOT shall comply with SCDOT encroachment requirements.

Date: \_\_\_\_\_ Property Owner: University of South Carolina  
 Applicant's Name if different from Property Owner: NCI Inc. Duane Foster Superintendent  
 Contact Information: Telephone Number: 404-201-5851 Fax Number: 843-569-3244  
 Mailing address: 4182.5 River Green Pkwy, Duluth Ga 30096 E-mail address: duane.foster@ncicabling.com  
 Business Name/Development Name for Encroachment: \_\_\_\_\_

Encroachment type:  Wall  Fence  Columns  Steps  Irrigation System  Landscaping  Driveway  Pavers  Sidewalk/Walkway  
 Planters  Awning  Underground Utilities  Other: \_\_\_\_\_

Dimensions (height/width/length):  
 (i.e. 6x42' wooden privacy fence;  
 two 12x4x3' concrete steps) directional bore under Devine St and install a 1"

Construction material: HDPPE communications conduit to be owned by University of South Carolina

**OUTDOOR DINING:** The Fire Marshal's posted capacity allowed within the business at the time of enactment of the outdoor dining encroachment ordinance shall include the total number of patron seating approved for the outdoor dining encroachment area, if not already included in the posted capacity allowance, so that patrons relocating from inside to the outside or from outside to the inside do not cause the posted capacity to be exceeded.

Hours/days of operation for outdoor dining: \_\_\_\_\_

Posted Maximum Capacity Allowance (inside/outside combined): \_\_\_\_\_ No. of chairs outdoors: \_\_\_\_\_ No. of Tables Outdoors: \_\_\_\_\_

Do you serve:  Wine  Beer  Liquor SCDOR ABL No.: \_\_\_\_\_ If not, do you intend to apply for an ABL license? \_\_\_\_\_

I acknowledge that the adjoining property owners and businesses have been contacted and approve the addition of outdoor dining at this location to include the service of beer, wine and/or liquor if applicable during the business hours noted above, and that any changes made to the business hours, use of the encroachment area or items allowed within the encroachment area will require an amendment to the encroachment ordinance.

Name/Title: \_\_\_\_\_  
 Date: \_\_\_\_\_

I acknowledge that any changes made to the business, hours, use of the encroachment area, or items allowed within the encroachment area, to include obtaining a license to sell beer, wine and/or liquor will require an amendment to the encroachment ordinance.

Name/Title: \_\_\_\_\_  
 Date: \_\_\_\_\_

The proposed ordinance will be sent to the requesting party and City offices for review and approval. Johnathan Chambers will compile the recommendations and forward them to the City Clerk for scheduling before City Council. This process may take from 30-90 days.

CONTACT	DEPARTMENT	PHONE	FAX	E-MAIL
Johnathan Chambers	Development Services (Land Development)	803-545-3333	803-343-8779	jchambers@columbiasc.net
John Fellows	Development Services (Planning)	803-545-3222	803-733-8647	jsfellows@columbiasc.net
Brian Cook	Development Services (Zoning)	803-545-3332	803-733-8647	kbcook@columbiasc.net
Jerry Thompson	Development Services (Building Inspections)	803-545-3420	803-733-8699	jthompson@columbiasc.net
Fanessa Pinckney	Development Services (Permits)	803-545-3420	803-733-8699	fcpinckney@columbiasc.net
Amy Moore	Development Services (Historic Preservation)	803-545-3222	803-733-8647	aemoore@columbiasc.net
Robert Harkins	Development Services (Plans Review)	803-545-3420	803-733-8647	rharkins@columbiasc.net
Denny Daniels	Utilities & Engineering (Construction Management)	803-545-3400	803-988-8199	jddaniels@columbiasc.net
Robert Anderson	Public Works (Administration)	803-545-3780	803-733-8648	raanderson@columbiasc.net
Robert Sweat	Public Works (Street Division)	803-545-3790	803-545-3785	rgsweatt@columbiasc.net
David Brewer	Public Works (Traffic Engineering)	803-545-3850	803-733-8648	ddbrewer@columbiasc.net
Sara Hollar	Public Works (Forestry & Beautification)	803-545-3860	803-733-8648	sehollar@columbiasc.net
John Hooks	Public Works (Solid Waste)	803-545-3800	803-733-8648	jphooks@columbiasc.net
Chip Timmons	Risk Management	803-733-8306	803-733-8245	catimmons@columbiasc.net
David Koon	Fire Department	803-545-3701	803-401-8839	cdtkoon@columbiasc.net
John David Spade	Parking Services	803-545-3070	803-733-8523	spade@columbiasc.net

# City of Columbia

## 600 Block of Lincoln Street



Monday, February 08, 2016



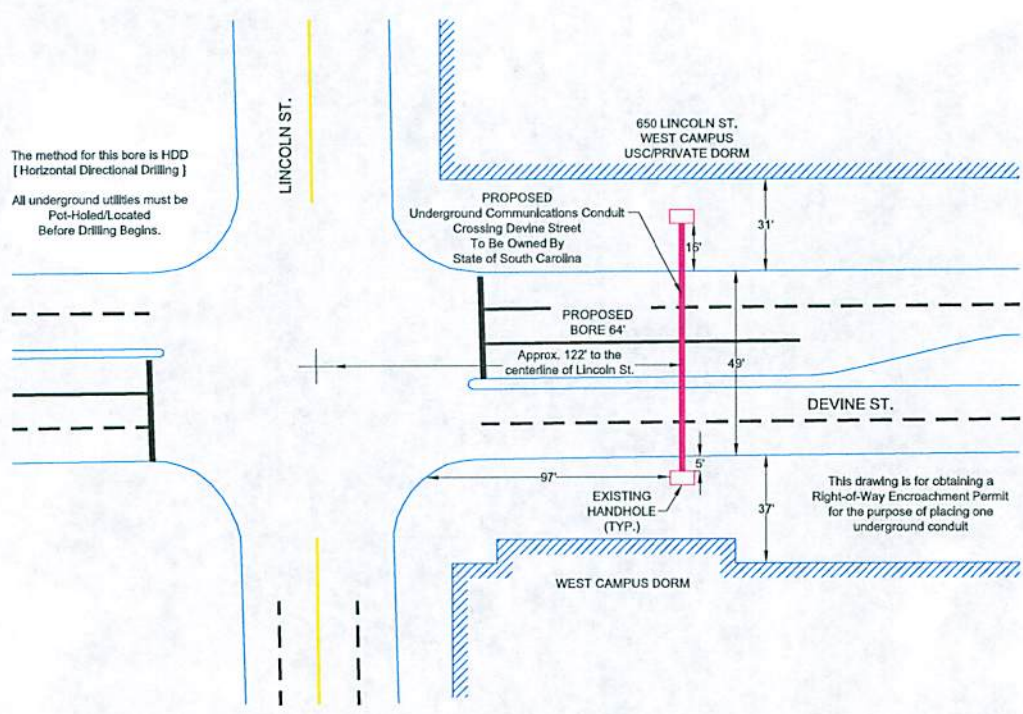
Source: Esri, DeLorme, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, Aero, Geoportia, IGN, IGPP, Swisstopo, and the GIS User Community. Esri, HERE, DeLorme, Mapbox, OpenStreetMap contributors, and the GIS user community.

### CITY OF COLUMBIA GIS DATA DISCLAIMER

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The method for this bore is HDD  
[Horizontal Directional Drilling]  
All underground utilities must be  
Pot-Holed/Located  
Before Drilling Begins.

LINCOLN ST.

650 LINCOLN ST.  
WEST CAMPUS  
USC/PRIVATE DORM

PROPOSED  
Underground Communications Conduit  
Crossing Devine Street  
To Be Owned By  
State of South Carolina

PROPOSED  
BORE 64'  
Approx. 122' to the  
centerline of Lincoln St.

DEVINE ST.

EXISTING  
HANDHOLE  
(TYP.)

WEST CAMPUS DORM

This drawing is for obtaining a  
Right-of-Way Encroachment Permit  
for the purpose of placing one  
underground conduit

SYMBOLS AND ABBREVIATIONS  
 □ HH = EXISTING HANDHOLE  
 HOPE = HIGH DENSITY POLYETHYLENE

D.O.T. Permit Drawing  
 Devine Street  
 Columbia, SC



PROJECT TITLE	
DATE	01-28-16
DRAWN BY	BDT
CHECKED BY	
DESIGNED BY	
SCALE	
FILE	NTS
FILE NAME	devine.dwg
DRAWN BY	D.O.T. Permit
SHEET NO.	1 of 1



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

7/20/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> <b>JOE BRADLEY</b> <b>MANRY &amp; HESTON, INC.</b> <b>P.O. BOX 49607</b>  <b>ATLANTA GA 30359</b>		<b>CONTACT NAME:</b> TAMMY NASH <b>PHONE (A/C No. Ext):</b> (770) 939-3231 <b>FAX (A/C No.):</b> (770) 939-9978 <b>E-MAIL ADDRESS:</b> tnash@manryheston.com	
<b>INSURED</b> <b>NETWORK CABLING INFRASTRUCTURES, INC</b> <b>P.O. BOX 2168</b>  <b>DULUTH GA 30096</b>		<b>INSURER(S) AFFORDING COVERAGE</b> <b>NAIC #</b> <b>INSURER A: ONE BEACON INSURANCE CO (A; X)</b> <b>INSURER B: HOMELAND INS CO OF NY (A; X)</b> <b>INSURER C:</b> <b>INSURER D:</b> <b>INSURER E:</b> <b>INSURER F:</b>	

**COVERAGES** **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	X		711014307	2/6/2015	3/1/2016	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	GENL AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS			711014307	2/6/2015	3/1/2016	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS						
A	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE			711014307	2/6/2015	3/1/2016	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000
	DED <input checked="" type="checkbox"/> RETENTION \$ 0						
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	406041621	2/6/2015	3/1/2016	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
B	POLLUTION LIABILITY DEDUCTIBLE - \$5,000			793-00-27-25	11/01/2014	11/01/2015	EACH CLAIM 2,000,000 AGGREGATE 6,000,000

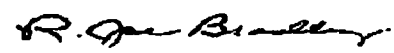
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

ADDITIONAL INSURED WHEN REQUIRED BY WRITTEN CONTRACT: CITY OF COLUMBIA

"THIS CERTIFICATE OF INSURANCE REPRESENTS COVERAGE CURRENTLY IN EFFECT AND MAY OR MAY NOT BE IN COMPLIANCE WITH ANY WRITTEN CONTRACT."

## CERTIFICATE HOLDER

## CANCELLATION

<b>CITY OF COLUMBIA</b> <b>1339 MAIN STREET</b> <b>PO BOX 147</b> <b>COLUMBIA, SC 29217</b>	<b>SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.</b>  <b>AUTHORIZED REPRESENTATIVE</b>  Joe Bradley/PJA 
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