

**City of Elko
Proposed Rule Notification**

Pursuant to NRS 237.080, the City of Elko is notifying trade associations or owners and officers of businesses which are likely to be affected by the following proposed rule:

**CITY OF ELKO
ORDINANCE NO. 835**

AN ORDINANCE AMENDING TITLE 8, CHAPTER 2, OF THE ELKO CITY CODE ENTITLED “CONDITIONS OF UTILITY OCCUPANCY OF PUBLIC ROADS AND CITY STREET CUTS AND REPAIRS” BY ADDING SMART DIG REQUIREMENTS, AND MATTERS RELATED THERETO

The City of Elko desires to amend the City Code regarding smart dig requirements for utility installation. The City also desires to increase communication capabilities by adding mandatory conduit installation to the City Code. The ordinance makes the following changes to City Code:

- Update and clarify definitions. Add definitions
- Update and clarify language throughout Title 8, Chapter 2
- Addition of Smart Dig requirements mandatory for excavations of at least one hundred (100) feet in length.
- Installation of conduit mandatory in Rights- of -Way for Public Works Projects
- Installation of conduit in Rights- of -Way for Private Excavations – City to execute an agreement to pay incremental additional costs which shall not include amounts that would otherwise have been paid, provide the materials but not the labor or equipment required to install underground communications, City to bear all reasonable documented design and construction costs associated solely with and required for the installation of the conduit. The conduit will then be owned by the City.

Complete copies of the proposed ordinance can be obtained at the City Clerk’s office by contacting cityclerk@elkocitynv.gov or at 1751 College Ave. Elko, NV 89801.

Trade associations or owners and officers of businesses may submit data or arguments to the City of Elko as to whether the proposed rule will:

1. Impose a direct and significant economic burden upon a business; or,
2. Directly restrict the formation, operation or expansion of a business.

Responses shall be utilized by the Elko City Council to determine if the proposed rule is likely to impose a direct and significant economic burden upon a business or directly restrict the formation, operation or expansion of a business.

After making a determination regarding the proposed rule, the Elko City Council shall prepare a business impact statement which will be considered during a subsequent public hearing. The business impact statement will be available for public inspection at the time the agenda is first posted.

All responses shall be due no later than 5:00 p.m. on Friday January 25, 2019. Responses must be submitted to:

Elko City Clerk
1751 College Avenue
Elko, NV 89801
Email: cityclerk@elkocitynv.gov

**KELLY WOOLDRIDGE
CITY CLERK**