

TOWN COUNCIL
TOWN OF KIRKLIN, INDIANA

ORDINANCE NO. 2025-12-6

**AN ORDINANCE OF THE TOWN OF KIRKLIN, INDIANA ESTABLISHING FEES
FOR UTILITY INSTALLATIONS AND ATTACHMENTS WITHIN THE TOWN
STREET RIGHT-OF-WAY**

WHEREAS, the Town of Kirklin, Indiana ("Town") maintains and regulates the use of public streets and street rights-of-way for the benefit of its citizens;

WHEREAS, various utility providers seek to place underground utility lines and/or attach equipment to utility poles located within the Town's street right-of-way;

WHEREAS, the Town Council has determined that such use of public right-of-way imposes ongoing administrative, maintenance, and oversight burdens upon the Town;

WHEREAS, the Town Council finds it reasonable and necessary to establish annual fees for the placement of underground installations and pole attachments within the Town's street right-of-way, and to require advance approval for such placement;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF KIRKLIN, as follows:

1. **FEES FOR USE OF STREET RIGHT-OF-WAY**
 - a. **Underground Utility Installations:** Any utility or entity installing underground facilities within the Town's street right-of-way shall pay an annual fee of one dollar (\$1.00) per linear foot of underground installation.
 - b. **Utility Pole Attachments:** Any utility or entity attaching equipment, cables, or other facilities to any utility pole located within the Town's street right-of-way shall pay an annual fee of five dollars (\$5.00) per pole attachment.
2. **REQUIREMENT OF PRIOR APPROVAL**
 - a. No underground installation or pole attachment within the Town's street right-of-way may occur without prior review and approval of the Town Council. The Town Council may impose reasonable conditions on any approval to protect public property, safety, and the orderly use of the right-of-way.

The provisions herein, when approved and adopted, shall be effective as soon as practicable.

SO ADOPTED this 29 day of Dec., 2025.

KIRKLIN TOWN COUNCIL

John D. Walt Minnick
Mark S. Johnson
C. Michael Johnson

ATTEST:

By: Tara Walker
Tara Walker, Clerk-Treasurer