



## CITY OF ATLANTA

City Auditor's Office  
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### ***Why We Did This Audit***

We undertook this audit because public and private utility companies frequently cut into public streets and sidewalks to install, maintain, and repair utility-related infrastructure. Excavation on city streets reduces the useful life of pavement and failed cuts create hazards. The Department of Public Works is responsible for enforcing city code requirements regulating use of the public right-of-way.

We focused our audit on enforcement of regulations related to excavation in the public right-of-way.

### ***What We Recommended***

In order to enforce city code requirements regulating use of the public right-of-way, the Commissioner of Public Works should:

- consolidate the permitting function to coordinate regulatory activities
- develop detailed policies and procedures that explain the permitting, inspection, and recordkeeping requirements for excavation
- re-prioritize inspectors' workloads to ensure that they are able to complete all required inspections
- ensure that repaving is coordinated with street cut work
- enforce insurance and bonding requirements
- ensure all utility street cuts made by the Department of Watershed Management are permitted and inspected as required by city code

For more information regarding this report, please contact Stephanie Jackson at 404.330.6678 or [sjackson@atlantaga.gov](mailto:sjackson@atlantaga.gov)

## ***Performance Audit:***

### **Department of Public Works Regulation of Utility Street Cuts**

#### ***What We Found***

While the city's right-of-way ordinance establishes requirements consistent with industry practices for regulating utility street cuts, the Department of Public Works lacks effective enforcement to ensure that the streets are adequately restored when construction is completed. The department's written procedures for permitting and inspecting utility street cuts are incomplete, and employees do not keep hardcopy or electronic records to show that inspectors are conducting all required inspections before warranties for the work expire. Further, the department is not ensuring that franchised utilities comply with bond and insurance requirements. As a result, the city may be responsible for repairs or damages if cuts fail. The city paid \$218,000 in damages during fiscal year 2010 related to right-of-way activity.

Program records are inadequate to track utility street cuts in the right-of-way. Employees were unable to identify owners of utility street cuts or provide copies of permits for any of the 26 utility street cuts we randomly sampled. The department does not consistently track metal plates in the right-of-way. Employees identified the owner of metal plates at one of four sites that we asked about, and provided a copy of the permit application, but were unable to locate the approved permit or any information about seven metal plates at the other three sites. Two sections within the department issue permits for utility street cuts, making tracking and recordkeeping difficult, particularly without written policies and procedures for recordkeeping.

Public works has not ensured that the Department of Watershed Management's utility street cut work is permitted or inspected according to the city's right-of-way ordinance. Public works personnel said they do not have enough staff to conduct all required site inspections of permitted work. Since employees do not compile data on the number of permits issued for utility cuts, and the department has prioritized response to requests for service over inspections of permitted utility work, the department cannot accurately assess its staffing needs.