

RESOLUTION NO. 2026-52

A RESOLUTION OF THE GAINESVILLE REGIONAL UTILITIES AUTHORITY, A UNIT OF CITY GOVERNMENT OF THE CITY OF GAINESVILLE, FLORIDA, ESTABLISHING THE POSITION OF GOVERNMENT CODE INSPECTOR FOR PURPOSES OF ENFORCING CHAPTER 556, FLORIDA STATUTES; PROVIDING FOR DESIGNATION, DUTIES AND AUTHORITY, TRAINING, AND PROSECUTION; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 556, Florida Statutes, known as the “Underground Facility Damage Prevention and Safety Act,” establishes requirements for safe excavation and underground facility protection; and

WHEREAS, Section 556.107(1)(b), Florida Statutes, authorizes citations for violations of Chapter 556 to be issued by, among others, “any local or state law enforcement officer, government code inspector, or code enforcement officer”; and

WHEREAS, Gainesville Regional Utilities Authority (“Authority”) does not maintain a code enforcement department as defined in Chapter 162, Florida Statutes, nor employ building code inspectors licensed under Chapter 468, Florida Statutes, but desires to provide for enforcement of Chapter 556 within Gainesville Regional Utilities’ service territory; and

WHEREAS, the Authority seeks to reduce reckless excavation activity and recover costs associated with damage to the City of Gainesville’s utility infrastructure; and

WHEREAS, in Fiscal Year 2024 alone, Gainesville Regional Utilities experienced more than 400 occurrences of excavation damage to its underground utilities, resulting in more than \$400,000 in labor, materials, equipment, and investigation costs; and

WHEREAS, these preventable underground utility strikes cause damage and result in service outages that often pose a risk to the health, safety, and welfare of the ratepayers in Gainesville Regional Utilities’ service territory, the general citizenry, and those employees and contractors tasked with mitigating and repairing the damage; and

WHEREAS, the Authority finds that creation of a designated “Government Code Inspector” position, empowered to enforce Chapter 556, will serve the public health, safety, and welfare of the ratepayers in Gainesville Regional Utilities’ service territory, which includes the City of Gainesville and portions of unincorporated Alachua County.

NOW, THEREFORE, BE IT RESOLVED BY THE GAINESVILLE REGIONAL UTILITIES AUTHORITY, A UNIT OF CITY GOVERNMENT OF THE CITY OF GAINESVILLE, FLORIDA, AS FOLLOWS:

Section 1. Establishment of Government Code Inspector.

There is hereby established the position and/or designation of Government Code Inspector within Gainesville Regional Utilities.

Section 2. Designation.

The Chief Executive Office or their designee is authorized to designate one or more employees of Gainesville Regional Utilities to serve as Government Code Inspectors for purposes of enforcing Chapter 556, Florida Statutes.

Section 3. Duties and Authority.

A Government Code Inspector designated under this Resolution shall be empowered to:

- a. Issue citations for violations of Chapter 556, Florida Statutes, in accordance with Section 556.107, Florida Statutes;
- b. Require cessation of excavation or demolition activities until compliance with Chapter 556 is achieved; and
- c. Coordinate with law enforcement, municipal and county code enforcement, Sunshine 811, utility operators, and all others as necessary to enforce Chapter 556.

Section 4. Training.

The Chief Executive Office or their designee may prescribe training or certification requirements for any employee designated as a Government Code Inspector, consistent with state law. Government Code Inspectors must obtain Florida Association of Code Enforcement (F.A.C.E.) certification.

Section 5. Prosecution.

Pursuant to section 556.107, Florida Statutes, any person may elect to have a hearing on the commission of the infraction before the county court. Gainesville Regional Utilities staff, including the Utilities Attorney and Government Code Inspector, are authorized to testify, provide evidence, and/or aid in the prosecution, as applicable, of any such hearing, court action, or appeal thereof. Any and all enforcement actions herein shall not constitute a waiver of the Authority's right to pursue a civil tort action against an excavator, and such right is expressly reserved by the Authority.

Section 6. Severability.

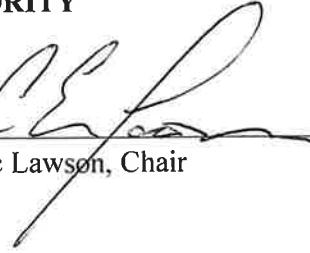
If any word, phrase, clause, paragraph, section, or provision of this resolution or the application hereof to any person or circumstance is held invalid or unconstitutional, such finding will not affect the other provisions or applications of this resolution that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this resolution are declared severable.

Section 7. Effective Date.

This Resolution shall take effect immediately upon adoption.

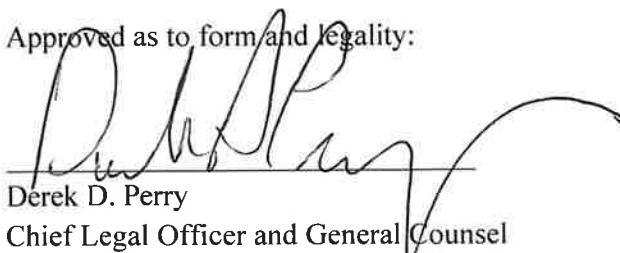
PASSED and ADOPTED by the GAINESVILLE REGIONAL UTILITIES AUTHORITY
this 14th day of January 2026.

**GAINESVILLE REGIONAL UTILITIES
AUTHORITY**

By: 

Eric Lawson, Chair

Approved as to form and legality:


Derek D. Perry

Chief Legal Officer and General Counsel