Property Guidelines for Utility Easements with Buried Facilities

10/3/2025

Purpose:

This guideline establishes rules for the use and management of utility easements containing underground electric distribution and communications lines (facilities) consistent with the Code of Ordinances City of Henderson, Kentucky Sec. 20-10 Public Utility Easements. It is intended to ensure safe, reliable service, to minimize conflicts between utility operations and property use.

Scope:

This guideline applies to all utility easements granted for buried electric distribution and communications lines and associated equipment within the HMP&L service territory.

Easement Standards:

- Easements for buried lines are permanent rights-of-way granted to the Utility.
- Standard easement width is typically 10–15 feet, depending on facility type and location.
- Easements must remain accessible at all times for inspection, repair, replacement, and upgrades of underground lines and associated equipment (transformers, pedestals, vaults, conduits, etc.).

Permitted and Prohibited Uses:

Permitted Uses:

- Grass, lawns, and shallow-rooted landscaping.
- Driveways, sidewalks, and fencing (if access is not blocked).

Prohibited Uses:

- Permanent structures such as buildings, garages, decks, pools, or sheds.
- Trees or deep-rooted shrubs that could damage underground facilities.
- Major grade changes or drainage alterations that impair access or equipment safety.

If unapproved uses interfere with access or safety, the Utility may remove or destroy the encroachment with the cost of repair or replacement at the risk of the property owner.

Utility Responsibilities:

The Utility will:

- Provide advance notice before entering a property whenever practical, except in emergencies.
- Restore disturbed areas to a reasonable condition after maintenance or construction.
- Maintain records of underground facility locations and provide information to developers, contractors, and property owners as appropriate.
- Coordinate with developers and property owners to reduce disruption.

Access and Safety:

- Utility personnel and contractors must have safe, reliable access to easements at all times.
- Emergency access may be taken without prior notice.
- Property owners and contractors must call 811 (“Call Before You Dig”) before excavating in or near utility easements.

Development and Construction Coordination:

- Developers must coordinate with the Utility during project design to confirm easement placement and width.
- Requests to relocate buried facilities must be reviewed by the Utility. Costs are the responsibility of the requesting party unless otherwise agreed.
- Easements must be designed to allow long-term access and system upgrades.

Enforcement:

- Encroachments or unsafe uses in easements are subject to removal and at the risk of the property owner.
- Removal and restoration costs may be charged to the property owner.
- Intentional damage to Utility property may result in cost recovery from the property owner and/or contractor working on behalf of the property owner.
- The Utility may pursue enforcement through permits, agreements, or legal remedies when necessary.

Review and Update:

This guideline will be reviewed periodically to reflect changes in safety standards, regulations, and utility practices.

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