

DIVISION 3. EXCAVATIONS

Sec. 6-291. Permit required.

No person except the Director of City Services shall make or cause to be made any excavation or dig up paving in any street until he has paid the required fee and has received a written permit therefor from the Director of City Services, except in any emergency, in which case such permit shall be secured within twenty-four (24) hours after the street has been opened. Permits shall only be issued to public utilities or their agents. The provision of this section may be waived by the Director of City Services. (Code 1970, § 20-77; Ord. No. 451, 8-15-88)

Sec. 6-292. Issuance of permits; records.

The Director of City Services shall be authorized to issue excavation permits, shall keep a record of all permits granted by him, all work done by city employees excepted. (Code 1970, § 20-78)

Sec. 6-293. Fee schedule.

A flat fee, payable to the City Treasurer, shall be made for openings made within the right-of-way of any accepted city street. The rate may be adjusted annually by the City Council by order so long as such adjustment is made prior to the first of May. Such rate will apply until further adjusted. The fee shall be set from time to time and a schedule of such fees is on file in the City Clerk's office. (Code 1970, § 20-79)

Sec. 6-294. Qualifications of permit applicant.

Before any excavation permit shall be issued, the applicant shall satisfy the Director of City Services that the applicant possesses the financing, knowledge, skill, equipment and material to perform the complete scope of work. (Code 1970, § 20-80)

Sec. 6-295. Planning, inspection and approval procedures.

- (a) Before any excavation permit shall be issued, a plot plan and time schedule for any street opening shall be filed with the Director of City Services.
- (b) The work in progress shall be open to the Director of City Services and his designated inspectors for the purpose of inspecting and enforcing the provisions of this division.
- (c) Upon completion of any project, the Director of City Services shall cause to be issued a certificate of satisfactory completion. (Code 1970, § 20-81)

Sec. 6-296. Manner of work generally.

All pavement shall be cut before excavations in such manner that the road surface will be exposed in a clean, sharp, straight edge. Trench sides will be shored so as to prevent any fallout from under the undisturbed pavement. All safety requirements necessary to perform the work in a safe, workmanlike manner will be followed. (Code 1970, § 20-82)

Sec. 6-297. Backfilling.

Backfilling shall consist of placing suitable material in all spaces excavated and not occupied drainage or other underground structures, up to three (3) inches from the existing surface. Backfill material shall consist of fine, readily compressible soil or granular material, near optimum moisture content, and shall not contain large stones, frozen material or any other objectionable material. The final eighteen (18) inches of fill under road surfaces, shoulders or sidewalks shall consist of graded gravel to the specification of the Director of City Services. All material shall be distributed in not more than twelve-inch layers, and each layer compacted by approved compaction methods before another layer is placed. Water may be added only to improve mechanical compaction. Puddling or jetting will not be allowed. All sheeting and bracing material may be removed as the backfill operation is in progress.

(Code 1970, § 20-83)

Sec. 6-298. Replacement of surface.

Paved surfaces shall be repaired temporarily with an approved cold patch to a compacted depth of three (3) inches, rounding about one (1) inch above the existing pavement surface. Shoulders shall be brought level with existing grades with coarse gravel. Surfaces outside the pavement line but within the right-of-way shall be filled to existing grade to match existing material. Lawn surfaces within the right-of-way shall be finished with six (6) inches of loam, raked, seeded and rolled.

(Code 1970, § 20-84)

Sec. 6-299. Maintenance.

The Bureau of Public Works is charged with the upkeep and maintenance of any street opening after a completion certificate is issued under section 6-295. The Bureau of Public Works will also, after a satisfactory period of time has passed to allow for settlement, excavate the cold patch surface, and permanently repair the opening to the specifications of the Director of Public Works.

(Code 1970, § 20-85)

Sec. 6-300. Fences, barricades, lights.

When a person is permitted in accordance with the provisions of this division to occupy any part of a street for building purposes, such person shall erect and maintain around the part so occupied a sufficient fence or barricade to prevent injury to persons, animals or vehicles passing the premises, and keep the same properly lighted at night. Such areas shall be properly posted. Temporary sidewalks shall be provided when requested by the City Engineer.

(Code 1970, § 20-86)

Sec. 6-301. Unaccepted streets and new construction.

Permits shall not be required on unaccepted streets or new construction, but the requirements of section 6-297 shall be in effect on any project under the jurisdiction of the Director of City Services.

(Code 1970, § 20-87)

Sec. 6-302. Street openings beyond the scope of this article.

(a) It is the intent of this division to authorize the Director of City Services to control all excavation, backfill and surface procedures within any city right-of-way. The rate may be adjusted annually by the City Council by order so long as such adjustment is made prior to the first of May. The fee schedule is based on a value that will incur no cost to the city.

(b) The developer or person building shall be responsible for paying for any damage incurred.

(Code 1970, § 20-88)

Sec. 6-303. Unpaved streets and roads (gravel streets).

Street openings in unpaved streets and roads shall conform to all the sections of this division with the following exceptions:

(1) The rate may be adjusted annually by the City Council by order, so long as the adjustment is made prior to the first of May. Such rate shall apply until further adjusted.

(2) Under section 6-298, the requirement for applying cold patch shall not pertain. Gravel surface shall be brought slightly above existing roadbed and compacted.

(3) Under section 6-296, it will not be necessary to cut the road surface before excavation.

(Code 1970, § 20-89)

Sec. 6-304. Winter openings.

No permits will be issued between December first and March fifteenth except on an emergency basis, to be determined by the City Manager or City Council.

(Code 1970, § 20-90)

Sec. 6-305. Penalties.

Any person responsible for noncompliance with the provisions of this division shall be liable to the city for all fees and expenses of repairs, and in addition shall be subject to the penalty provisions of section 1-10.

(Code 1970, § 20-91)

Sec. 6-306. Underground installation of utilities.

Any underground installation within ten (10) years of building and paving a street shall be outside of the paved area whenever feasible. Where pavement cuts are made the requirements of sections 6-302 through 6-305 shall be met unless it is determined by the Director of Public Works and the City Engineer that openings are so extensive as to require rebuilding of portions of the street or the entire street, in which cases the entire rebuilding may be requested of the responsible party and a sharing of the costs negotiated.

(Code 1970, § 20-92)