

CHAPTER 6 – STREETS & PUBLIC PLACES

ARTICLE 6 - EXCAVATIONS IN PUBLIC PLACE

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Sections 6-6-101 to 199, inclusive. Excavations in public places - general provisions.

Section 6-6-101 Permit required to make excavation in or under any public street, sidewalk, alley or other public place.

No person shall make or cause to be made any excavation in or under any street, sidewalk, alley, or public place or remove any soil, paving, gravel or other material therefrom without having first obtained a permit therefore as hereinafter provided.

Source: Ord. No. 1036, 1980.

Section 6-6-102 Application required prior to excavation permit being issued. Replenishment of excavation deposit.

Application for an excavation permit shall be made to the building inspector. Before any such permit is issued, the person requiring the same shall state in his application therefore where such excavation is to be made, the extent thereof, for what purpose said excavation is to be made.

Source: Ord. No. 1036, 1980; Rev. of Ord., 1990.

Section 6-6-103 City building inspector shall supervise excavations in streets, roads, alleys or other public places.

The building inspector under the general direction of the commissioner of streets shall supervise all excavations made for any purpose in the streets, roads, alleys or other public places, and he shall require that all excavations be backfilled in the manner specified.

Source: Ord. No. 1036, 1980; Rev. of Ord., 1990.

Section 6-6-104 Regulation of openings on sidewalks.

No permanent opening shall be made or maintained in any sidewalk in any of the public streets of the city for the purpose of providing stairways leading to any basement or cellar or for the purpose of admitting light or for any other purpose; provided, that openings in sidewalks for the admission of coal, light, air or for other purposes, if covered with suitable iron covers, iron gratings, or glass set in iron or concrete set level with the surface of the sidewalk and of such construction as not to be dangerous to pedestrians passing over the same may be constructed upon the approval of the building inspector under a permit obtained from him specifying the type of construction to be employed.

Source: Ord. No. 1036, 1980; Rev. of Ord., 1990.

Section 6-6-105 Regulation of excavations made in bituminous and gravel streets.

Trenches that are made in streets that have a bituminous or gravel surface shall be made in the following manner: On bituminous surfaces, the width of the paved surface removed shall be at least six inches wider than the bucket on the excavating equipment or the completed excavation. The material shall be saved and replaced in its original position after the excavation is completed and backfilled. The backfilling and replacing of excavated material from trenches excavated within city streets, roads, alleys and other public places shall be free from large clods, stones, frozen earth, and boulders. The material shall be placed in layers not exceeding twelve inches in depth of uncompacted material, moistened or aerated to the optimum condition for compaction, as the case may be, and thoroughly tamped in place by a mechanical tamper to a density of ninety five per cent (95%). Any excess material shall be removed from the site and the surface smoothed off to the original condition before the excavation was made.

The permittee shall pay in advance to the city a fee per square foot of ditch excavated, for replacing the base course and wearing surface of bituminous streets. On gravel streets and alleys, the permittee shall pay in advance to the City a fee per square foot of ditch excavated. There shall be a minimum charge for each excavation. The fee shall be set out in a schedule to be approved by the City Commission, as presented and on file at the city business office.

Bituminous street cuts from November 1 through March 31 will be charged a premium rate according to the schedule of fees due to a lack of permanent patching materials.

The permittee shall cut or require the cut to be made by sawing a neat line and shall provide warning lights and barricades for at least twenty-four hours after he has completed his work on all bituminous streets. The permittee shall notify the city of the approximate time the excavation will be ready for the base and surface material to be replaced.

Plumbers, contractors and sewer builders doing work under this chapter shall maintain all trenches for a period of one year from the date the excavation is made.

Source: Ord. No. 1036, 1980; Rev. of Ord., 1990; Ord. No. 1375, 1996; Ord. No. 1606, 2007;

Section 6-6-106 Regulation of excavations made in concrete streets.

When it is necessary to cut any concrete surfaced street for water, sewer, gas or for any other service connections, the person making the cut shall fill and mechanically tamp the excavation to ninety five per cent (95%) density at optimum moisture content and replace concrete surfacing.

Source: Ord. No. 1036, 1980; Rev. of Ord., 1990.

Section 6-6-107 Guards and flares required around excavations in streets, roads, alleys and other public places.

Any person receiving a permit to make an excavation on any street, road, alley or other public place shall, during the progress and continuation of the work, erect and maintain around the same, both by day and night, suitable guards, fences, flares, and signals so as to prevent injury to persons, animals or vehicles on account of such excavations. Flares shall be kept lighted from sundown until sunrise.

Source: Ord. No. 1036, 1980.

Section 6-6-108 Guards required around excavations made near street.

It shall be unlawful for any person, owner or occupant of any lot or parcel of land within the city to make or cause to be made any excavation on said lot or parcel of land except when the same shall be

securely guarded so as to prevent the injury of any person or persons or animals passing upon or along sidewalks, streets, roads, alleys or any other public places.

Source: Ord. No. 1036, 1980.

Sections 6-6-109 to 199, inclusive. Reserved.