



SAMPLE

**NORTH ATTLEBOROUGH
DEPARTMENT OF PUBLIC WORKS**

STREET/ SIDEWALK OCCUPANCY PERMIT

THIS APPLICATION AND PERMIT IS FOR THE OCCUPATION AND / OR EXCAVATION OF THE STREETS AND SIDEWALKS WITHIN THE STREETS AND WAYS UNDER THE JURISDICTION OF THE DEPARTMENT OF PUBLIC WORKS.

In accordance with the provisions of Article VI, Town By-Laws, relating thereto, application is made by:

Applicant: _____

Address: _____

Property Owner: _____

Property Address _____

Purpose of Excavation: _____

Estimated Size of Excavation: Length: _____ Width: _____ Sq.Ft. _____

If excavated size of trench is greater than the estimate, an additional charge will be billed to the contractor along with an administration fee.

DIG SAFE NUMBER: _____ **START DATE:** _____

Contractors Tele. # _____ 24 Hr. Emergency# _____

RESTRICTIONS:

Excavation subject to 72 hours notice to utilities; per Section 40 of Chapter 82 of M.G.L. No cold patch or cold emulsions shall be used within the excavation area. All work shall be in accordance with the Town of North Attleborough Board of Public Works Standard Specifications and Details.

PERMIT FEE: \$100.00 INSPECTION/RESTORATION FEE: \$ _____

(BASED ON S.F. OF TRENCH)

TRENCH PERMIT FEE \$ _____ TOTAL FEE: \$ _____

Applicant's Signature: _____ Date: _____

PERMIT GRANTED: _____ Date: _____

Highway Superintendent

Special Conditions: _____

Per Article XI, Section 1, of the Town of North Attleborough Bylaws, all applicants must obtain signed copy of the permit/permits before the start of any project. Failure to do so is punishable by a fine of \$300 per day.

GENERAL CONDITIONS UNDER WHICH THIS PERMIT IS GRANTED

1. The Applicant shall carefully and truly observe the Street/Sidewalk Occupancy Permit Procedures Manual and the specifications adopted by the Board of Public Works to govern the work covered by this permit. Failure to do so may result in the revocation of this permit.
2. All work shall be in accordance with all applicable rules and specifications regulating street excavation, curb cuts, sidewalk and street construction, and storm sewer installation.
3. The Applicant shall give notice to the Highway Department 24 hours in advance of the excavation.
4. A copy of this permit shall be kept at the work site and shall be available to the municipal officials upon request.
5. No work shall result in the concentration and discharge of surface water or sub-surface water into public or private property, thereby causing damage to that property.
6. This permit will not be issued unless a valid Dig Safe number appears on the permit.
7. It is the Applicant's responsibility to provide a performance bond and valid certificate of insurance prior to the permit being granted.
8. This permit is valid for a single calendar year. If the permit expires and the work has not been performed, the Contractor must obtain a new permit.

SPECIFIC CONDITIONS UNDER WHICH THIS PERMIT IS GRANTED

- A. No construction activity, unless approved by the Highway Superintendent or his representative, shall begin before 7:00 AM nor extend beyond 7:00 PM, Monday through Saturday. Construction outside of normal working hours (M-F 7AM – 5PM) must be expressly approved on the occupancy permit.
- B. No Street shall be closed/detoured without the Highway Superintendent's approval.
- C. No materials shall be stored in the traveled area of the street and sidewalk outside of working hours. Any material or equipment stored within the Street Layout shall be protected according to the Manual on Uniformed Traffic Control Devices.
- D. When, for reason of safety, it is necessary for corrective work to be done outside of working hours, and the contractor cannot be contacted or fails to do the work, the Town will take corrective action and bill the contractor accordingly.
- E. Contractors shall protect elements of the Town's infrastructure and compact backfill to 95% of optimum density.

MUNICIPAL REGULATIONS FOR STREET OPENING PERMIT

1. FEES:

- A. A \$100.00 (one hundred dollar) non-refundable Permit application fee is required.
- B. The Highway Department will perform inspection of all trenches and shall be responsible for trench repairs after final acceptance. The costs for this service will be based on the square footage of the trench. The Applicant will estimate the size of the trench at the time the permit is applied for. If the size of the actual trench is larger than the estimate, the applicant will be billed for the difference. Refer to the schedule below for actual prices.

INSPECTION/ RESTORATION FEE SCHEDULE

0-50 Square feet – (Minimum Charge per trench)	\$139.00
Over 50 Square Feet – (additional, per square foot)	\$2.39
Over 1000 Square feet - (additional, per square foot)	\$2.19

2. INSURANCE:

- A. A \$5,000.00 (five thousand dollar) Performance Bond is required for each street opening permit issued. The Board of Public Works may allow a blanket bond commensurate with anticipated annual permit activity for routine excavators. The Board of Public Works will set the amount for the blanket performance bond.

A Performance Bond amount will be established on an individual basis by the Highway Superintendent for all-utility main line installations or excavations that run parallel with the street.

- B. A certificate of insurance is required before a street opening permit will be issued. The certificate for general liability shall be at least \$300,000.00 and shall name the Town as an additional insured.

3. NOTIFICATION:

- A. A Dig Safe number must accompany the application.
- B. A 24 hour notice must be provided to the Highway Department before excavation can commence.

4. **CONSTRUCTION PROCEDURES:**

- A. The pavement shall be pre-cut and may only be disturbed within the area requiring excavation for repair, replacement or new installation. When the opening occurs within two (2) feet of the curb and/or edge of the pavement surface, the paved area between the excavation and the curb and/or edge must also be removed.
- B. All backfill shall consist of suitable materials uniformly distributed and thoroughly compacted. When suitable backfilling material cannot be obtained from excavation, the material brought in shall consist of satisfactory borrow. When directed, mechanical tampers shall be used in compacting backfill for trenches, and in hard to reach areas around masonry. No backfill material shall be placed before the inspector has approved the utility installation and/or repair and the backfill material. Compaction shall be accomplished by either by mechanical means in lifts of no greater than six (6) inches until 95% optimum density is obtained or flooding the trench with water (only with prior approval of the Highway Superintendent) . All percentages of compaction specified herein shall be of the maximum dry density at the optimum moisture content as established by the ASTM D 1557 and verified by ASTM D 1556. When the term “thoroughly compacted” is used in these specifications, it shall mean compaction to at least 95 % of the maximum density of the soils at the optimum moisture content.
- C. The temporary trench patching material shall consist of Bituminous Concrete Type I. If the asphalt plant has closed for the day and hot material cannot be obtained, then cold patch material may be used with prior approval of the Highway Superintendent. If cold patch is utilized it must be replaced with Bituminous Concrete Type I within 30 days. Under no circumstances shall a trench be left with just gravel overnight.
- D. The permanent trench patch shall be a minimum of four (4) inches in depth or the thickness of the surrounding pavement if greater than four (4) inches. The trench shall be cut back and excavated to the point tangent with the surrounding pavement surface and matching the surrounding pavement in depth. A tack coat shall be applied to all sides of the trench. Bituminous Concrete Type I binder shall be placed in layers not less than two (2) inches and thoroughly compacted. The surface coat of Bituminous Concrete shall be one and one half (1-1/2) inches thick and be flush with the road when compacted thoroughly so as not to be noticeable when driving over the trench.
- E. All surplus and/or unacceptable excavated materials shall be removed from the job site immediately. The excavation site shall be maintained in a clean and safe condition at all times. Sidewalks and streets shall be cleaned and opened to traffic at the end of each working day. Vehicle and pedestrian access to properties is to be maintained at all times. The removal and disposal of materials, including pavement, is the responsibility of the applicant.

- F. The applicant shall be liable for the condition of the excavation site at all times, and will be held responsible for any and all damage due to any failure of barricades, barriers, warning signs, lights or steel plates used to properly protect the work area from traffic and pedestrians. All excavation area safety shall be in conformance with the “Manual on Uniform Traffic Control Devices”.
- G. The applicant shall be responsible for restoration of all associated items of the road structure such as curbing, throatstones, asphalt berms, catch basins, manholes, water gates, hydrants, line painting, street signs, etc. that may have been disturbed by the excavation.
- H. *The applicant shall be responsible for the condition of the trench for one year after final pavement, at which time the Highway Department will inspect and accept or reject the final trench patch.*
- I. The applicant is responsible for any police details that may be required by the Police Chief and/or his representative.
- J. Excavations opened without an approved permit may result in the cancellation of any other permit held by the applicant and/or assessment of double the permit fee and fines.
- K. Any above ground structures which are associated with the operation of a Utility, i.e. Sewer Pump Stations, Electrical Control Cabinets, Telephone Control Cabinets, shall be located outside the roadway layout within an easement. The acquiring of this easement shall be the responsibility of the utility owner. If after all efforts have been exhausted to obtain an easement, and the design can not be altered to eliminate the need for said easement, the applicant may apply in writing to the Board of Public Works for a waiver of this requirement.

Any sub-surface structure, which is larger than a conventional sewer manhole, shall be located outside the roadway layout on an easement so it will not interfere with the expansion of other utilities. The acquiring of this easement shall be the responsibility of the utility owner. If after all efforts have been exhausted to obtain an easement, and the design can not be altered to eliminate the need for said easement, then the applicant may apply in writing to the Board of Public Works for a waiver of this requirement.

4. **MORATORIUM ROAD CONSTRUCTION PROCEDURES:**

Each year, and at the end of a road construction upgrade or reconstruction project, the DPW will update a list of road to be considered under moratorium. The minimum period of the moratorium shall be 5 years. This list will be available at the DPW Administration Office.

Work that results in breaking through roadway pavement within the Right of Way of a road under moratorium is prohibited, except under emergency or special circumstances expressly approved by the Highway Superintendent and Director of Public Works. In such cases where work must be performed within the moratorium period the following minimum standards must be met (The Department may require additional work, as determined to be necessary to restore the roadway to acceptable conditions:

1. All backfill material must be processed gravel or controlled density fill (CDF) as approved by the Highway superintendent and/or the DPW Director;
2. Curb to curb mill and overlay coverage a minimum distance of 10 feet beyond the limits of disturbance;
3. Department of Public Works may require that the contractor shall guarantee the trench, through a surety, for a period one year beyond the end of the moratorium date for that section of road.

PUBLIC GAS UTILITY FEE SCHEDULE

The following guidelines shall be used when calculating the permit fee for Public Utilities.

- The permit fee will be \$25.00 (twenty-five) per excavation within a paved roadway or sidewalk. If the excavation involves several small trenches in close proximity to one another the \$25.00 fee will apply to the first 3 excavations and subsequently \$25.00 for each 3 excavations thereafter.
- The permit fee will be waived if the excavation is off the paved surface of the roadway or sidewalk. It is the responsibility of the Public Gas Utility to repair any lawn damage and to make prompt and professional repairs to any unpaved areas that are disturbed as a result of excavation.
- The permit fee will be waived if the Public Gas Utility is doing the work at the request of the Department of Public Works in connection with a reconstruction project.
- The restoration fee will be waived if the Public Utility provides a copy of their contract with a qualified contractor to complete this work. This may be a yearly contract.

CONSTRUCTION TIME LINE AND FEE SCHEDULE FOR UTILITY POLES

A permit shall be obtained for all utility pole installations and repairs within the Town's public Right of Ways. The town is responsible for the maintenance of the sidewalks within the State's Right of Ways and therefore a permit shall be obtained for these locations as well.

Once a new utility pole is set, the following schedule shall be enforced and all work shall be completed within seven (7) months.

- Emergency repair work must be permitted within 72 hours.
- Electric Department will transfer their lines within 2 months.
- Fire Alarm will transfer their lines within 1 month of the date they receive transfer notification from the Electric Department.
- Cable will transfer their lines within 1 month of the date they receive transfer notification from either the Electric Department or the Fire Alarm.
- New England Telephone will transfer their lines within 2 months of the date they receive transfer notification from Cable, Fire Alarm or Electric Department.
- The owner of the utility pole will have removed the old pole within 1 month of last transfer notification along with having repaired any sidewalk or lawn damage associated with the excavation.
- The owner of the utility pole will be responsible for enforcing the aforementioned schedule. If a user of the pole fails to conform to the schedule, the owner will notify the Board of Public Works and proceed to contract the work to another qualified contractor to complete the transfer.
- Failure to comply with the schedule will result in the Board of Public Works not issuing future Street Opening Permits until all prior work has been completed.
- The annual fee for utility pole setting and repairing is \$ 500.00.
- The permit fee for excavations within the paved street shall be \$ 25.00 per excavation.
- The permit fee will be waived if the Utility pole owner is doing the work at the request of the Department of Public Works in connection with a reconstruction project.
- The fees will be waived if the utility pole owner provides a copy of their contract with a qualified contractor to complete this work. This may be a yearly contract.