

CITY OF COEUR D'ALENE STREET CUT POLICY

POLICY: A policy to establish procedures for utility cuts in public streets.

PURPOSE: To ensure that public safety is maintained and that public inconvenience is minimized by establishing safety standards and time constraints for the work zone.

To protect the City's infrastructure by establishing repair standards and limiting cuts in new pavement.

I. Applicability

This policy shall apply to all City streets and alleys.

II. Exceptions

Exceptions to Section IV of this policy may be made in the following cases:

- A. Water or sewer main or service breaks, gas and electric main or service breaks or leaks and similar emergency repairs.
- B. Potholing for utility bores or locating utilities.
- C. Failed septic tanks.
- D. Other reasonable exceptions that may be made by the City Council.

III. Trench Backfill and Patching Requirements

A. Backfill compaction requirements

Backfill shall be placed in accordance with Section 12.16.110 of the Municipal Code. It shall be mechanically compacted with tamping rollers, sheepsfoot rollers, vibrating rollers, or other mechanical tampers. Backfill material shall be placed in layers of thickness compatible to the type of compaction equipment being used. Each layer shall be evenly spread and compacted until the specified relative compaction has been attained.

B. Patching requirements

Street patches shall be constructed in accordance with current City standards. All permanent patches shall be hot mix asphalt concrete with a minimum asphalt thickness of 2".

C. Testing requirements

Compaction tests shall be required on all backfill and asphaltic concrete patches.

These results shall be forwarded to the City Engineering Division prior to final approval.

1. Testing requirements may be waived by the City Engineer if the following requirements are met.
 - a. The applicant is a franchised utility that has agreed in writing to maintain their trench cuts for three (3) years.
 - b. The Contractor has demonstrated a compaction method or procedure that achieves consistent and adequate compaction.

D. Restoration of Improvements

1. Restoration of improvements shall be in accordance with Section 12.16.140 of the Municipal Code. All excavations shall be backfilled and patched with cold-mix asphalt at the end of the work day. The permanent asphalt patch shall be placed within seven (7) days of completion of the work.

E. Maintenance of Work Area and Traffic Control Devices

1. Maintenance of Work Area

- a. All equipment, materials, excavated soil, and any other items related to the work shall be confined within the work area. At the end of each day, the trench shall be backfilled (per Section III D) and the work area shall be cleaned of all debris, materials, equipment, etc. except traffic control devices. After completion of the work, the work area must be maintained in a clean and safe condition until the permanent patch is placed.

2. Traffic Control Devices

- a. Traffic control devices shall be placed around the work area in accordance with the MUTCD (Manual on Uniform Traffic Control Devices), Section II. A traffic control plan shall be submitted with the encroachment permit and reviewed by the Engineering Division.
- b. Traffic control devices shall be maintained in their appropriate location and in good working order until all work is completed. The contractor shall provide the City with a contact person responsible for maintaining the traffic control devices.

F. Work Hours

In residential areas all work will be performed between the hours of 7:00 a.m. and sunset, Monday through Friday, unless authorized by the City Engineer. In all other areas there are no general restrictions on work hours; however, work days shall be limited to Monday through Friday. Work hour restrictions may be required by the City Engineer.

IV. Pavement Cut Restrictions

A. Pavement Cuts in the Wintertime

1. No pavement cuts shall be made in the wintertime, when hot mix asphaltic concrete is unavailable.
2. Exceptions to this restriction may be made in accordance with Section II. In addition, exceptions may be made for pavement cuts made by the City or their contractors.

A temporary patch shall be placed in accordance with City requirements for pavement cuts made in the wintertime. Temporary patches shall be maintained in good condition by the Contractor until hot mix asphaltic concrete is placed. The Contractor shall post security with the City to guarantee placement of a permanent patch and maintenance of the temporary patch. Security shall be in a form acceptable to the City Attorney.

B. The following restrictions shall apply to all streets and alleys which have been paved or overlaid within 5 years of the current date.

1. Pavement less than 3 years old
 - a. No cuts shall be allowed in pavements which have been placed within the last 3 years.
2. Pavements from 3 to 5 years old
 - a. Cuts in pavement may be allowed only for service connections to water, sewer, gas, electric, or other public utilities.
 - b. The applicant shall pay the City a fee of \$500 for recovery of additional costs for maintenance.
 - c. Pavement cuts may be allowed only after all other options for service have been eliminated.

C. Exceptions to the above restrictions may be granted in accordance with Section II.

V. Notification of Adjacent Property Owners

The City shall notify (or cause to be notified) adjacent property owners of streets which are being constructed, reconstructed or overlaid. The notification should inform them of the pending work and the City's street cut policy. The purpose of the notice is to allow property owners to install services, etc. before the new pavement is constructed. The notices should be sent far enough in advance to allow for the construction of any services.

VI. Installation of Services by the City

The City may, at its own discretion, install such water and sewer services as it deems necessary to serve adjacent properties. These services would be installed to properties which have a high probability of being developed within 5 years or where extension of services at a later date would cause substantial disruption. The cost of extending such services may be recovered as allowed for by the City Code.

VII. Insurance Requirements

All Contractors working in the right-of-way shall save the City harmless from all claims for injury to person or property resulting from the Contractor's actions or omissions in performance of this contract, and to that end shall maintain liability insurance naming the City as one of the insureds in the amount of Five Hundred Thousand Dollars (\$500,000) for property damage or bodily or personal injury, death or loss as a result of any one occurrence or accident regardless of the number of persons injured or the number of claimants, it being the intention that the minimum limits shall be those provided for under Chapter 9, Title 6, Section 24 of the Idaho Code. A certificate of insurance providing at least thirty (30) days written notice to the City prior to cancellation of the policy shall be filed in the office of the City Engineer.

Homeowners performing maintenance or repair of sidewalks or approaches adjacent to their residence shall be exempt from the above insurance requirements.

VIII. Permits Required

An encroachment permit shall be required for any work within the right-of-way. No permit will be issued until a certificate proving insurance coverage has been provided to the City. The permit shall be obtained prior to starting work. Failure to obtain an encroachment permit prior to starting work shall result in a fine, per the attached schedule.

IX. Failure to Perform

Failure to perform any of the following items shall be cause for the City to withhold issuance of subsequent encroachment permits to the applicant and/or Contractor.

- Providing the required proof of insurance.
- Proper maintenance of the work area.
- Proper maintenance of required traffic control devices.
- Proper completion of required warranty work (if any).

In addition, if any of the above work items either fails to meet City standards or is not completed within the required time, the City may, at its sole discretion, effect the necessary repairs and recover all costs for the work. All charges shall be paid by the Contractor prior to issuance of any subsequent encroachment permits. Charges shall be as set forth in the attached schedule.

SCHEDULE OF CHARGES STREET CUTS

<u>ITEM</u>	<u>AMOUNT</u>
Security for wintertime patch * (Refundable after satisfactory completion of the work)	\$1000 per patch
Charge for cuts in pavement 3 - 5 years old	\$ 500 each
Fines for failure to obtain encroachment permit:	
1st and 2nd offense	\$ 75 per occurrence
3rd offense	\$ 500
Charges for City-provided patch:	
Patches less than 50 feet in length	\$1000
Patches greater than 50 feet in length	\$1000 + \$20/lf in excess of 50'
Maintenance of the work area	\$ 200 per day
Maintenance and/or installation of traffic control	\$ 200 per day
* Utility companies which have a franchise agreement with the City will not be required to post a security.	