

CHAPTER 3
EXCAVATIONS

SECTION:

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7-3-1: **PERMIT REQUIREMENTS:**

- A. Required: It shall be unlawful for any person to break, excavate, tunnel, undermine or in any manner affect the surface or base of any street or to place, deposit or leave upon any street any earth of any other excavated material obstructing or tending to interfere with the free use of the street, unless such person shall first have obtained an excavation permit thereof from the City Recorder. (Ord. 11-395, 12-14-1993)
- B. Streets and Sidewalks:
 - 1. No person shall make any excavation in any street, land or alley or remove any pavement or other material from any street or improvement thereon without first obtaining a permit from the City Recorder or other authorized representative of the City.
 - 2. No person shall excavate any sidewalk without first obtaining a permit from the City Recorder or other authorized personnel.
- C. Franchise; Public Utility:
 - 1. Nothing contained in this Chapter shall be construed to waive the franchise required for any person by City ordinances or laws of Utah. (Ord. 11-381, 12-14-1993; 1998 Code)

2. Any public utility regulated by the State or holding a franchise from the City, which in the pursuance of its calling, has frequent occasion to open or make excavations in streets, may, upon application, receive a general permit from the City to cover all excavations such utilities may make within the streets of the City. (Ord. 11-395, 12-14-2993)

7-3-2: **BOND REQUIRED:** In order to ensure proper backfill and restoration of surface, the permittee shall deposit a surety bond or cash deposit in the amount of seven hundred fifty dollars (\$750.00) with the City Recorder, payable to the City, except that a public utility operating or using any or the streets under a franchise from the City will not be required to furnish such bond, providing such franchise obligates the holder thereof to restore the streets and to hold the City harmless in the event of any injury to any person or damage to any property due to negligence of such holder in conducting excavation and restoration operations under such franchise. The required surety bond must be:

- A. With good and sufficient surety.
- B. By a surety company authorized to transact business in the State.
- C. Satisfactory to the City Attorney in form and substance.
- D. Contained upon the permittee's compliance with this Chapter in order to secure and hold the City and its officers harmless against any and all claims, judgments or other costs arising from the excavation and other work covered by the excavation permit for which the City, the City Council or any City officer may be made liable by reason of any accident or injury to any person or property through the fault of the permittee arising out of failure to properly guard the excavation or for any other negligence of the permittee.
- E. Conditioned to fill up, restore and place in good and safe condition, as near as may be to its original condition, and to the satisfaction of the City, all openings and excavations made in streets, and to maintain any street where excavation is made in as good condition for the period of twelve (12) months after the work shall be done, usual wear and tear expected, as it was before the work shall have been done. (Ord. 11-394, 12-14-1993; 1998 Code)

7-3-3: SUBJECT AND EXCLUDED EXCAVATIONS:

- A. Types Subject to Provisions: The types of excavations subject to the provisions of this Chapter are:
1. Excavations for installation or repair of water lines, sewer lines, gas lines, electrical cable and conduits, telephone cable and conduits, cable television and conduits, and all other excavations for any other purpose within the street rights of way of the City or in other public places.
 2. Sidewalks, curbs and gutters, culverts and the installation or relocation of irrigation ditches or culverts to convey water beside or across any City right of way.
- B. Types not Subject to Provisions: The types of excavations which do not come within the scope of this Chapter are excavations of any kind in the City streets in projects designed, contracted for, and inspected by the City Engineer or other authorized personnel of the City. (Ord. 11-382, 12-14-1993)

7-3-4: STANDARDS:

- A. Preparation: The pavement, sidewalk, driveway, or other surface shall be cut vertically along the lines forming the trench in such a manner as to not damage the adjoining pavement or hard surfacing. An undercut bevel at the rate of one inch (1") per foot of thickness will be provided at the proposed junction between the old and new surfaces. The portion to be removed shall be broken up in a manner that will not cause damage to the pavement outside the limits of the trench. However, any pavement damaged by operations outside the limits of the trench shall be replaced. All waste material resulting from the excavation shall be removed immediately from the site of the work. (Ord. 11-384, 12-14-1993)
- B. Backfill:
1. Materials: Materials for backfill will be of a select nature. All broken concrete, peat, decomposed vegetable matter and similar materials obtained from excavation will be removed from the site prior to beginning of backfilling. All backfill will be placed in layers not over eight inches (8") loose measure in thickness. Compaction will be obtained by mechanical rollers, mechanical tampers or similar means. Material for backfilling will have optimum moisture to ensure compaction to a degree equivalent to that of the undisturbed ground in which the trench was dug. Jetting or internal vibrating methods of compacting sand fill or similar methods of

compacting sand or similar granular free draining materials will be permitted.

2. Density: The density (dry) of the backfill under pavements, sidewalks, curbs, or other structures will be not less than that existing prior to excavation. The fill shall be restored and placed in a good condition which will prevent settling.

3. Materials: The top twelve inches (12") shall be road base material. The next thirty six inches (36") beneath shall be pit run gravel with rocks no larger than four inches (4"). (Ord. 11-385, 12-14-1993)

C. Restoration Of Surfaces:

1. General: All street surfacing, curbs, gutters, sidewalks, driveways, or other hard surfaces falling in the line of the excavation which must be removed in performance of the work shall be restored in kind and paid for by the excavator, unless otherwise directed by the City Council, in accordance with the specifications contained herein governing the various types of surfaces involved.

2. Protection Of Paved Surfaces: In order to avoid unnecessary damage to paved surfaces, track equipment shall use pavement pads when operating on or crossing paved surfaces.

3. Time: In traffic lanes of provided streets, the excavator shall provide temporary gravel surfaces or cold mulch in good condition immediately after backfill has been placed, and shall complete permanent repairs on the street, sidewalk, curb, gutter, driveway and other surfaces, within five (5) days from the date of completion of the backfill, except for periods:

- a. When permanent paving material is not available.
- b. When weather conditions prevent permanent replacement.
- c. When an extension of time is granted by the Public Works Director.

d. Failure to complete permanent repairs within the time period allocated shall cause the late penalty in the fee schedule to be implemented.

4. Temporary Repair: If temporary repair has been made on paved street with gravel and a permanent repair cannot be made within the time specified above due to any of the above-mentioned conditions, then the excavator shall be required to replace the gravel with cold mulch as soon as possible.

5. Joints: All joints created by excavation will be sealed by the City-approved crack sealing methods along entire parameter of joints. (Ord. 11-386, 12-14-1993; 1998 Code)

D. Restoring Bituminous; Concrete Or Asphalt Surfaces:

1. Temporary Gravel Surface: Where excavations are made in paved areas, the surface shall be replaced with a temporary gravel surface. The gravel shall be placed deep enough to provide a minimum of six inches (6") below the bottom of the bituminous or concrete surface. Normally, this will require nine inches (9") of gravel for bituminous surfaces, twelve inches (12") of gravel for concrete, and concrete base for asphalt-wearing surfaces. The gravel shall be placed in the trench at the time it is backfilled. The temporary gravel surface shall be maintained by blading, sprinkling, rolling, and adding gravel to maintain a safe, uniform surface satisfactory to the inspector until the final surface is laid. Excess material shall be removed from the premises immediately. Material for use on temporary gravel surfaces shall be obtained from sound, tough, durable gravel or rock meeting the following requirements for gradings:

	<u>Percent</u>
Passing on 1 inch sieve	100
Passing 3/4 inch sieve	85-100
No. 4 sieve	45-65
Passing No. 10 sieve	30-50
Passing No. 200 sieve	5-10

2. Bituminous Surface: The exposed edges of existing pavement shall be primed with Type MC-1 bituminous material. The type, grade and mixture of the asphalt to be used for street surface replacement shall be approved by the Public Works Director. The thickness shall be equal to the adjacent surface of thickness but not less than three inches (3"). The complete surface shall not deviate more than one-half inch (1/2") between old and new work. Hot mix shall be used and placed in the trench and compacted to smooth surface with appropriate vibratory roller. (Ord. 11-387, 12-14-1993; 1998 Code)

E. Concrete Surfaces: The sub-base for concrete surfaces shall be sprinkled just before placing the concrete. Joints and surfaces shall be made to match the original surfaces. The thickness of concrete shall be equal to the adjacent concrete but in no case less than six inches (6") thick. The mixing, cement, water content, proportion, placement, and curing of the concrete will be approved by the Public Works Director. In no case shall the concrete have less compressive strength than

three thousand (3,000) pounds per square inch at the end of twenty eight (28) days. (Ord. 11-388, 12-14-1993; 1998 Code)

- F. Concrete Base, Bituminous Wearing Surfaces: This type of surfacing shall be constructed as above described. (Ord. 11-389, 12-14-1993)
- G. Gravel Surfaces: Trenches excavated through gravel-surfaced areas, such as gravel roads and shoulders and unpaved driveways, shall have the gravel restored and maintained as described in subsection E of this Section, except that the gravel shall be a minimum of one inch (1") more than the thickness of the existing gravel. (Ord. 11-390, 12-14-1993)
- H. Jetting Pipe: Jetting pipe by means of water under pressure, or compressed air, is permitted only when approved by the City. (Ord. 11-393, 12-14-1993)

7-3-5: **PROTECTION OF PUBLIC:** Excavation operations shall be conducted in such manner that a minimum amount of interference or interruption of street traffic will result. Inconvenience to residents and businesses fronting on public streets shall be minimized. Suitable, adequate and sufficient barricades shall be available and used where necessary to prevent accidents involving property or persons. Barricades must be in place until all of the excavator's equipment is removed from site and excavation has been backfilled and proper temporary gravel surface is in place. From sunset to sunrise, all barricades and excavations must be clearly outlined by acceptable warning lights, lanterns, flares, and other devices. Police and Fire Departments shall be notified at least twenty four (24) hours in advance of any planned excavation requiring street closures or detour. (Ord. 11-391, 12-14-1993)

7-3-6: **RELOCATION AND PROTECTION OF UTILITIES:** An excavator shall not interfere with any existing utility without the written consent of the City Council and without advance notice to the owner of the utility. If it becomes necessary to relocate an existing utility, it shall be done by its owner unless the owner otherwise directs. No utility, whether owned by the City or by a private enterprise, shall be moved to accommodate the permittee unless the cost of such work be borne by the permittee or an expressly written agreement is made whereby the utility owner and the excavator make other arrangements relating to such cost. The permittee shall support and protect by timbers or otherwise all pipes, conduits, poles, wires, or other apparatus which may be in any way affected by the excavation work, and shall do everything necessary to support, sustain and protect them under, over, along, or across the work. In case any of the pipes, conduits, poles, wires, or apparatus should be damaged (and for this purpose pipe coating or other encasement or

devices are to be considered as part of a substructure), they shall be repaired by the agency or person owning them, but the utility owner shall be reimbursed for the expense of such repairs by the permittee. It is the intent of this Chapter that the permittee shall assume all liability for damage to substructures, and any resulting damage or injury to anyone because of such substructure damage and such assumption of liability shall be deemed a contractual obligation which the permittee accepts upon of an excavation permit. The City need not be made a party to any action because of this Chapter. The permittee shall inform itself as to the existence and location of all underground utilities and protect the same against damage. (Ord. 11-392, 12-14-1993)

7-3-7: **REVOCAION OR REFUSAL OF PERMIT:** All permits shall be subject to revocation and the City may refuse to issue a permit for failure of the permittee or applicant to abide by the terms and conditions of this Chapter. (Ord. 11-395, 12-14-1993)

7-3-8: **EXCEPTION IN EMERGENCY:** Excavation permits will not be requested prior to excavation in case of emergency endangering life or property, providing the City is notified as soon as practicable and a permit is applied for upon the next regular working day following the emergency. (Ord. 11-395, 12-14-1993)