

## **ORDINANCE 2010-5**

### **AN ORDINANCE AMENDING TITLE 9 OF THE MUNICIPAL CODE OF THE CITY OF GREENSBURG, INDIANA**

**WHEREAS**, Indiana Code § 36-1-3 *et seq.* confers upon units of local government within the State of Indiana such powers as are necessary or desirable to conduct the affairs of local government;

**WHEREAS**, the Common Council of the City of Greensburg, Indiana, deems it desirable and proper to amend certain sections of the Greensburg Municipal Code in order to clarify its meaning;

**WHEREAS**, the Engineering Department and Street Department for the City of Greensburg desire to amend and update portions of Title 9, specifically Chapter 95, so as to better maintain and preserve the public streets of the City of Greensburg

**NOW, THEREFORE, BE IT HEREBY ORDAINED** by the Common Council of the City of Greensburg, Indiana, that the Greensburg Municipal Code be amended as follows:

#### **Section I.**

##### **95.22.010 Exceptions.**

The sections of this chapter shall not apply to the officers or employees of the City of Greensburg when prosecuting any work by order of or under the direction of the board of public works and safety.

##### **Section 95.22.020 Permit required--Fees.**

##### **95.22.020 Permit required—Fees.**

A. It is unlawful for any person to cut, dig or excavate in any part of any street or alley right-of-way within the City of Greensburg, except for the purpose of making installations therein under contract with the city, without first filing with the city engineer or street superintendent a written application for a permit to make such a cut or excavation at least three days in advance of the time of beginning the work to be done under such permit, except, that when an emergency exists, the applicant may secure such permit in less than such three-day period by stating in his application the exact emergency. All permits shall be submitted to and be approved by the city engineer or street superintendent prior to being filed with the clerk-treasurer. Such application shall particularly describe the exact location, kind, dimension by feet and inches, type of road surface to be cut or excavated, nature of the opening to be made and the exact purpose of the proposed work.

B. All applicants must pay a thirty-five dollar (\$35) permit and inspection fee at the time the permit is filed. The permit shall be valid for ninety days after approval is given by the city engineer or street superintendent.

C. Any and all work performed within the street or alley right-of-way in connection with such excavations, such as forcing pipe under pavement, trenches between the curb and sidewalks



or trenches outside the paved macadam, oiled or stone surfaces of a street or alley are covered by this chapter and shall require a permit.

### **Section 95.22.030 Surety bond required.**

#### **95.22.030 Surety bond required.**

As a part of the written application, the applicant shall have on file in the office of the city clerk-treasurer an approved undertaking and surety bond in the amount of two thousand dollars (\$2,000) wherein such applicant agrees to do the following:

A. Maintain the road surface which has been disturbed in a smooth and uniform condition for a period of one year after traffic is again permitted to pass over such filled trench or maintain the area cut outside the pavement surface but within the R/W to a condition similar to the immediate surrounding area for a period of one year, such maintenance to meet the approval of the city engineer or street commissioner;

B. Erect and maintain all necessary barricades, detour signs, warning signals and lights by dusk (in conformance with the Federal Highway Administration's Manual on Uniform Traffic Control Devices — latest edition) required to safely direct traffic over or around the place where such work is being done, so long as the work in any way interferes with traffic (signage will not be provided by the City's street department);

C. Take all responsibility for any injury or damage resulting to persons or property because of such work;

D. Conspicuously display at the site of the street opening the name and address of the person to whom the permit has been issued, so long as the hole is open or barricades are in place;

E. Give notice to the city engineer or street commissioner prior to every day that excavations are being opened in such rights-of-way.

### **Section 95.22.040 Permit approval--Restrictions.**

#### **95.22.040 Permit approval—Restrictions.**

The approval of a permit to cut into a street or alley does not authorize entry into a public sewer or drain or prejudice the city's right to require the removal or relocations of structures, wire, pipes or appurtenances installed in connection with such permit.

### **Section 95.22.050 Forms and instructions--Keeping bonds current.**

#### **95.22.050 Forms and instructions—Keeping bonds current.**

It shall be the duty of the board of public works and safety to have printed such forms and instructions as are required for the administration of this chapter. It shall be the duty of the clerk-treasurer to require all persons making application for a permit under the terms of this chapter to post and keep current the bonds required herein.

### **Section 95.22.060 Repairs by permittee in lieu of fees.**

#### **95.22.060 Repairs by permittee in lieu of fees.**



Any person upon application to and approval by the board of public works and safety may, in lieu of payment of fees to cover street repairs, make such repairs with their own forces; provided, that such person makes the repairs in accordance with standards prescribed by such board, and posts and keeps in effect a performance bond in an amount of not less than two thousand dollars (\$2,000), but equal to the estimated cost of repairs to be made by such person for the calendar year beginning at the time of application. The performance bond shall cover a two-year period and shall guarantee the repairs to perform satisfactorily for a period of one year, and be and shall remain in effect for a period of one year after date of last repairs. Upon approval of such application, the board shall issue to the applicant a written permit to make street repairs for a period of one year after date of last repairs. Upon approval of such application, the board shall issue to the applicant a written permit to make street repairs for a period not exceeding twelve calendar months. This permit shall not exempt the permittee from any of the requirements of this chapter except payment of street repair charges.

#### **Section 95.22.070 City to perform neglected work.**

##### **95.22.070 City to perform neglected work.**

Failure to backfill properly or maintain surface during the maintenance period shall be sufficient cause without citation for city forces to perform the neglected work and charge the permittee the reasonable cost thereof or invoke said security bond.

#### **Section 95.22.080 Permit issuance--Work stoppage--Reporting violations.**

##### **95.22.080 Permit issuance—Work stoppage—Reporting violations.**

One copy of each permit shall be issued to the following individuals: The applicant, the clerk-treasurer and the city engineer or street superintendent. It is the specific duty of the city engineer, street superintendent or his designee to stop any work which is being performed when it does not comply with the terms and conditions of this chapter or the conditions stipulated on the permit, and report such noncompliance to the board of public works and safety for further action.

#### **Section 95.22.090 Penalty.**

##### **95.22.090 Penalty.**

It shall be the duty of the board of public works and safety to direct the clerk-treasurer to assess penalties as set forth herein in those cases which are not performed in compliance with this chapter. The penalty for noncompliance of the provisions of this chapter shall be \$500 per day of noncompliance.

### **Section II**

This ordinance shall have full force and effect from and after its passage.

\* \* \* \* \*



DULY PASSED on this 5<sup>th</sup> day of April, 2010, by the Common Council of the City of Greensburg, Indiana.

COMMON COUNCIL  
CITY OF GREENSBURG, INDIANA

Mayor Gary Z. Prickett  
Presiding Officer

ATTEST:

L. June Rife  
Clerk-Treasurer

Presented by me to the Mayor of the City of Greensburg for his approval or veto pursuant to Indiana Code § 36-4-6-15 and 16, this 5<sup>th</sup> day of April, 2010 at 7:27 o'clock a.m./p.m.

L. June Rife  
Clerk-Treasurer

This Ordinance having been passed by the legislative body and presented to me is approved by me and duly adopted, pursuant to Indiana Code § 36-4-6-16 (a)(1), this 5<sup>th</sup> day of April, 2010 at 7:27 o'clock a.m./p.m.

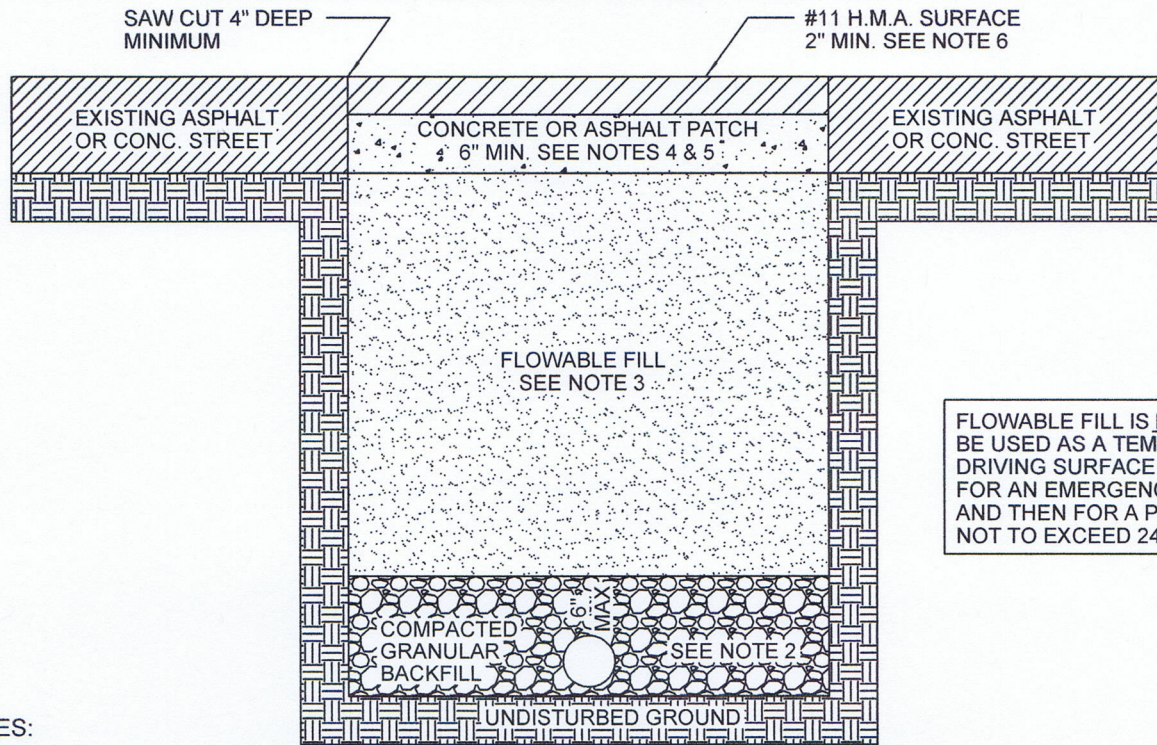
Gary Z. Prickett  
Mayor of the City of Greensburg, Indiana

Attest:

L. June Rife  
Clerk-Treasurer



# STANDARD STREET CUT REPAIR DETAIL



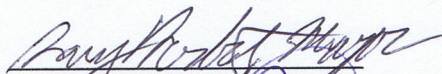
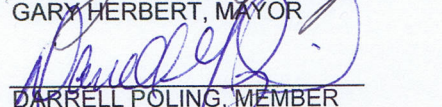
FLOWABLE FILL IS NOT TO BE USED AS A TEMPORARY DRIVING SURFACE EXCEPT FOR AN EMERGENCY REPAIR AND THEN FOR A PERIOD NOT TO EXCEED 24 HOURS

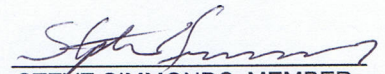
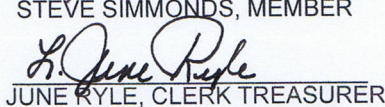
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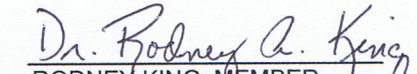
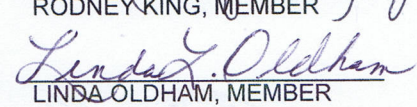
1. THIS STREET REPAIR PROCEDURE SHALL BE USED FROM APRIL 15th THROUGH NOVEMBER 15th OR AS LONG AS HOT-MIX ASPHALT IS AVAILABLE.
2. PIPE OR CONDUIT TO BE BEDDED WITH APPROVED COMPACTED GRANULAR MATERIAL (SAND, PIT RUN, OR B-BORROW). FOR GREENSBURG WATER USE #53CRUSHED LIMESTONE, SANITARY SEWER #9 OR #12.
3. FLOWABLE FILL SHALL HAVE A COMPRESSIVE STRENGTH OF 50 TO 150 PSI. FLOWABLE FILL SHALL BE SUPPLIED BY A PROVIDER APPROVED BY THE CITY ENGINEER OR STREET SUPERINTENDENT. APPROVAL SHALL BE BASED ON INDOT PREQUALIFICATION AND SUBMITTAL OF ACCEPTABLE MIX DESIGN(S).
4. ASPHALT STREETS: ASPHALT PATCH SHALL BE 5D BASE OR EQUAL, 6" MINIMUM DEPTH. CONCRETE PATCH SHALL BE HIGH STRENGTH CLASS "C" WITH 2% CALCIUM WITH A 6" MINIMUM DEPTH OR MATCH EXISTING. ALL PATCHING TO TAKE PLACE WITHIN 24 HOURS OF COMPLETION OF BACKFILLING OPERATIONS.
5. CONCRETE STREETS: CONCRETE PATCH SHALL BE HIGH STRENGTH CLASS "C" WITH 2% CALCIUM WITH A 6" MINIMUM DEPTH OR MATCH EXISTING, TO WITHIN 2" OF THE EXISTING SURFACE, BROOM FINISHED AT RIGHT ANGLES TO THE FLOW OF TRAFFIC. ALL PATCHING TO TAKE PLACE WITHIN 24 HOURS OF COMPLETION OF BACKFILLING OPERATIONS.
6. PLACE 2" PATCH OF #11 HOT-MIX ASPHALT (WITHIN 24 HOURS) FLUSH WITH EXISTING SURFACE. SURFACE OF ASPHALT OR CONCRETE AND EDGES OF EXISTING ASPHALT TO BE TACK COATED BEFORE PLACING THE HOT-MIX ASPHALT SURFACE.
7. IF MORE THAN ONE CUT IS MADE ON A CITY STREET, AND THE DISTANCE BETWEEN THE TWO IS 5'-0" OR LESS, THE CONTRACTOR OR PERSONS MAKING THE REPAIRS WILL BE REQUIRED TO REMOVE THE SURFACE BETWEEN THE CUTS AND MAKE A SINGLE REPAIR.
8. CONTRACTOR SHALL NOTIFY THE CITY ENGINEER'S OFFICE AT 812-663-3344 BEFORE PLACING THE HOT-MIX ASPHALT SURFACE.
9. ALL OVERCUTTING AND THE ENTIRE PERIMETER OF FINAL REPAIR TO BE CLEANED AND SEALED WITH ASPHALT CRACK SEALER.

## BOARD OF PUBLIC WORKS AND SAFETY APPROVAL

BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS AND SAFETY, CITY OF GREENSBURG, INDIANA, THAT THE STREET REPAIR PROCEDURE SHOWN ON THIS DRAWING IS HEREBY APPROVED AND ACCEPTED THIS THE 12 DAY OF March, 2010.

  
GARY HERBERT, MAYOR  
  
DARRELL POLING, MEMBER

  
STEVE SIMMONDS, MEMBER  
  
JUNE RYLE, CLERK TREASURER

  
RODNEY KING, MEMBER  
  
LINDA OLDHAM, MEMBER

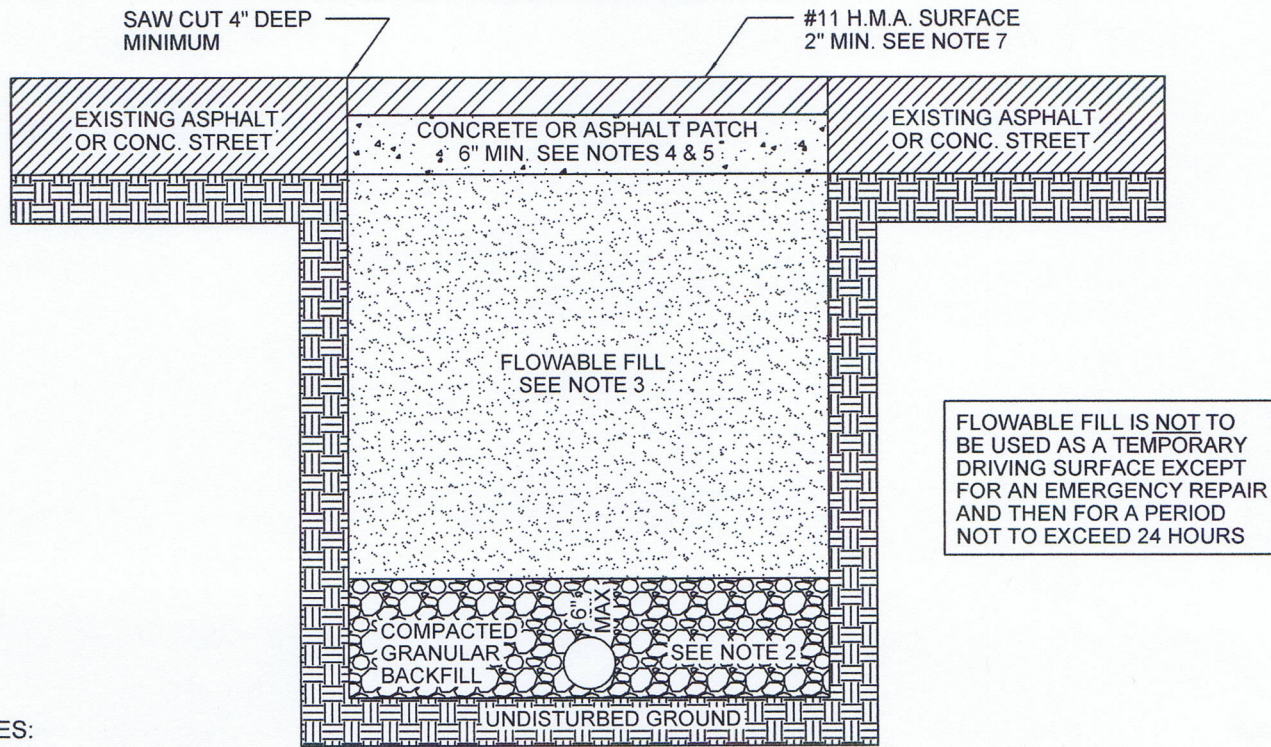
DRAWN BY: GARY MURRAY, P.E.

DATE: 12/30/09

CITY OF GREENSBURG  
OFFICE OF CITY ENGINEER  
314 W. WASHINGTON ST. GREENSBURG. IN 47240



## WINTER STREET CUT REPAIR DETAIL

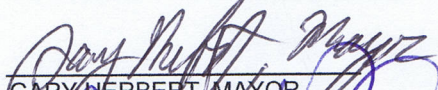


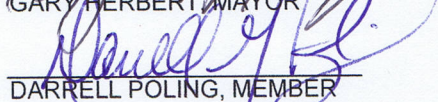
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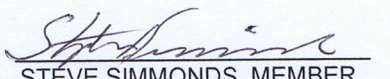
1. THIS STREET REPAIR PROCEDURE SHALL BE USED FROM NOVEMBER 16th UNTIL APRIL 14th OR AS LONG AS HOT-MIX ASPHALT IS NOT AVAILABLE.
2. PIPE OR CONDUIT TO BE BEDDED WITH APPROVED COMPACTED GRANULAR MATERIAL (SAND, PIT RUN, OR B-BORROW). FOR GREENSBURG WATER USE #53 CRUSHED LIMESTONE, SANITARY SEWER #9 OR #12.
3. FLOWABLE FILL SHALL HAVE A COMPRESSIVE STRENGTH OF 50 TO 150 PSI. FLOWABLE FILL SHALL BE SUPPLIED BY A PROVIDER APPROVED BY THE CITY ENGINEER OR STREET SUPERINTENDENT. APPROVAL SHALL BE BASED ON INDOT PREQUALIFICATION AND SUBMITTAL OF ACCEPTABLE MIX DESIGN(S).
4. ASPHALT STREETS: CONCRETE PATCH SHALL BE 6" MIN. DEPTH OR MATCH EXISTING. PLACED WITHIN 24 HOURS.
5. CONCRETE STREETS: CONCRETE PATCH SHALL 6" MIN. DEPTH OR MATCH EXISTING, FLUSH WITH EXISTING SURFACE AND BROOM FINISHED AT RIGHT ANGLES TO TRAFFIC FLOW, PLACED WITHIN 24 HOURS.
6. ALL CONCRETE SHALL BE INDOT CLASS "C", WITH 2% CALCIUM AND SHALL BE COVERED AND INSULATED FOR 4 FOURS PRIOR TO BEING OPENED FOR TRAFFIC.
7. PLACE TEMPORARY 2" PATCH OF COLD MIX FLUSH WITH EXISTING SURFACE WITHIN 24 HOURS. TEMPORARY PATCH SHALL BE REMOVED AND REPLACED WITH 2" OF #11 H.M.A. SURFACE AS SOON AS H.M.A. BECOMES AVAILABLE.
8. IF MORE THAN ONE CUT IS MADE ON A CITY STREET, AND THE DISTANCE BETWEEN THE TWO IS 5'-0" OR LESS THE CONTRACTOR OR PERSONS MAKING THE REPAIR WILL BE REQUIRED TO REMOVE THE SURFACE BETWEEN THE CUTS AND MAKE ONE REPAIR.
9. CONTRACTOR SHALL NOTIFY THE CITY ENGINEER'S OFFICE AT 812-663-3344 BEFORE PLACING CONCRETE OR ASPHALT PATCH.
10. ALL OVERCUTTING AND THE ENTIRE PERIMETER OF FINAL REPAIR TO BE CLEANED AND SEALED WITH ASPHALT CRACK SEALER.
11. FINAL REPAIRS SHALL BE COMPLETED NO LATER THAN MAY 1st.

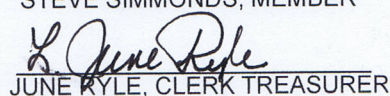
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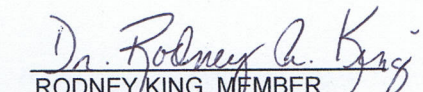
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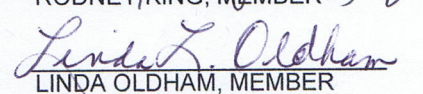
  
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