

Date: \_\_\_\_\_

Permit #20 \_\_\_\_\_

## WORK IN THE RIGHT OF WAY PERMIT APPLICATION

**INSTRUCTIONS: Print all information in ink.** Applicants must complete this form in its ENTIRETY unless special instructions indicate otherwise. Blanks will delay processing of your application and issuance of a permit. Place an X or √ in the box corresponding to your response. Open lines should be filled in with the requested words or numbers. If you have problems with a particular question, call City Hall at 663-3344 and ask for Planning and Zoning.

**LOCATION OF CONSTRUCTION:**

ADDRESS: \_\_\_\_\_

**OWNER OF PROPERTY:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

**INDICATE TYPE OF WORK :**

Open Cut  Bore Under  Parallel With R/W  Distance from edge of Pavement: \_\_\_\_\_

Date Work Will Start: \_\_\_\_\_ Sq. Ft. of Opening: \_\_\_\_\_

Anticipated Completion Date: \_\_\_\_\_

**CONTRACTOR RESPONSIBLE FOR THE PERMIT:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

**NATURE OF THE WORK:**

\_\_\_\_\_  
\_\_\_\_\_

Bond on File with Clerk Treasurer? Yes  No  Bond #: \_\_\_\_\_

CONTRACTOR OR UTILITY MUST HAVE A TRAFFIC CONTROL PLAN AND SHALL BE RESPONSIBLE FOR ALL BARRICADES, LIGHTING AND CALLING THE POLICE DEPARTMENT AND SCHOOL CORPORAION FOR ANY ROAD CLOSURES. ALL SIGNAGE MUST COMPLY WITH THE LATEST EDITION OF THE INDIANA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES. THE CONTRACTOR OR UTILITY SHALL BE RESPONSIBLE FOR ALL MAINTENANCE OF STREET CUTS FOR 1 YEAR. I HEREBY AGREE AND UNDERTAKE TO PAY AND ASSUME ALL LIABILITY FOR ANY AND ALL DAMAGES TO PERSONS OR PROPERTY RESULTING FROM OR ARISING OUT OF OR CONNECTED WITH SAID WORK IN ANY MANNER WHATSOEVER AND TO FULLY INDEMNIFY AND SAVE HARMLESS SAID CITY, ITS OFFICERS, AGENTS, AND REPRESENTATIVES FROM ANY PAYMENT OF ANY SUCH DAMAGES OR JUDGEMENTS FOR SAME.

I hereby certify that the information provided on this form is complete and accurate: \_\_\_\_\_

Signature of Applicant

**FOR OFFICE USE ONLY:**

Fee: \$ 35.00

Traffic Site Plan Included:

Application Approved:

Application Denied:

## **§ 95.22 STREET CUT REGULATIONS.**

(A) All persons cutting any public right-of-way, either improved or unimproved for any purpose, must obtain a permit from the Office of the Plan Director, in accordance with the following regulations:

(1) Permit fee shall be \$35.

(2) A permit must be obtained prior to the start of any construction along with a traffic control plan showing the location cut barricades and the routing of traffic.

(3) The applicant agrees to promptly restore the road surface right-of-way, or any other property disturbed by the work of the applicant in as good condition or better as it was prior to the time performing the work, and to the satisfaction of the city, more specifically.

(a) Openings shall be cut with straight, neat lines.

(b) Openings shall be backfilled and compacted with #53 or #63 stone.

(c) Eight inches of cement to be uniformly poured over stone.

(d) Two inches of asphaltic materials shall be compacted over properly cured cement.

(e) All specification shall be submitted in writing and approved by the Plan Director or Street Commissioner and any recommendations of the Street Commissioner shall be a condition to the permit.

(B) The applicant is responsible for all maintenance costs arising as a result of the work for 30 days.

(C) The applicant will perform the work for which this permit is issued in a skillful and careful manner, to properly and fully guard and protect all excavations and dangerous places, to erect and light all necessary barricades and signage, and to provide the appropriate flagmen. The applicant also agrees to notify the city of any partial or total street closings.

(D) The applicant agrees to pay and assume all liability for any and all damages to persons or property resulting from the work in any manner whatsoever and to fully indemnify and save harmless the city from any payment of any such damages or judgment for same.

(Ord. 1982-2, passed 4-5-82; Am. Ord. 2000-7, passed 6-5-00)

## **§ 95.23 EXCEPTIONS.**

The sections of this chapter shall not apply to the officers or employees of the city when prosecuting any work by order of or under the direction of the Board of Public Works and Safety.

(Ord. 2010-5, passed 4-5-10)

## **§ 95.24 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, 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 \$35 permit and inspection fee at the time the permit is filed. The permit shall be valid for 90 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.

(Ord. 2010-5, passed 4-5-10)

## **§ 95.25 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 \$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 right-of-way 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.

(Ord. 2010-5, passed 4-5-10)

#### **§ 95.26 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.

(Ord. 2010-5, passed 4-5-10)

#### **§ 95.27 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.

(Ord. 2010-5, passed 4-5-10)

#### **§ 95.28 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 \$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.

(Ord. 2010-5, passed 4-5-10)

#### **§ 95.29 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.

(Ord. 2010-5, passed 4-5-10)

#### **§ 95.30 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 or her 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.

(Ord. 2010-5, passed 4-5-10)

#### **§ 95.99 PENALTY.**

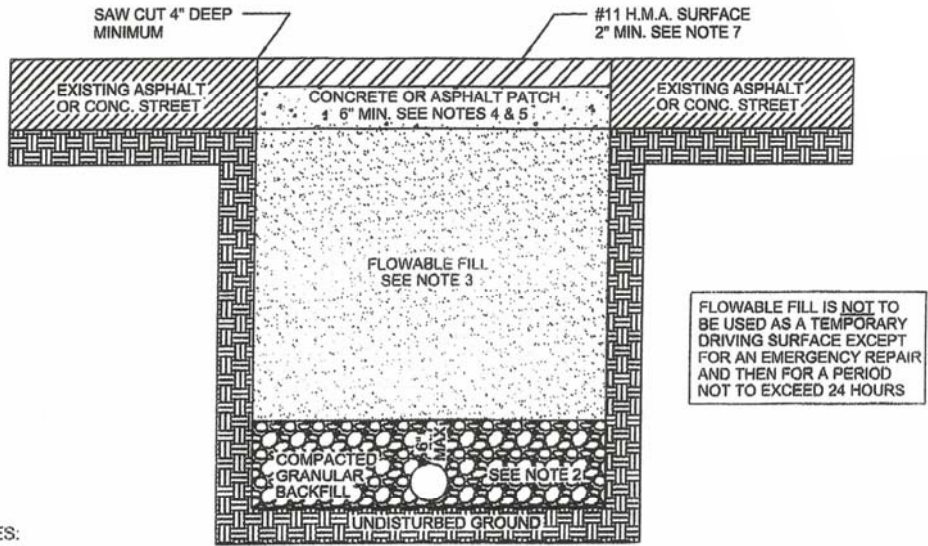
(A) Whoever violates any provision of this chapter for which no penalty is otherwise provided, shall be fined not more than \$1,000. A separate offense shall be deemed committed on each day that a violation occurs or continues.

(B) Whoever violates any provision of §95.07 shall be fined not more than \$50. A separate offense shall be deemed committed on each day that a violation occurs or continues.

(C) 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 §§ 95.15 et seq. The penalty for noncompliance of the provisions of §§ 95.15 et seq. shall be \$500 per day of noncompliance.

(Ord. 1983-10, passed 11-7-83; Am. Ord. 2010-5, passed 4-5-10)

**WINTER 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

**NOTES:**

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).
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.

**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 \_\_\_\_ DAY OF \_\_\_\_\_, 2010.

\_\_\_\_\_  
GARY HERBERT, MAYOR

\_\_\_\_\_  
STEVE SIMMONDS, MEMBER

\_\_\_\_\_  
RODNEY KING, MEMBER

\_\_\_\_\_  
HERB HUNTER, MEMBER

\_\_\_\_\_  
JUNE RYLE, CLERK TREASURER

\_\_\_\_\_  
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