

REGULATIONS PERTAINING TO THE INSTALLATION OR REPAIR OF UNDERGROUND UTILITIES IN CITY STREETS OR IN CITY RIGHT-OF-WAY/EASEMENTS

The following regulations and conditions constitute a part of the application made by any installer or contractor for the installation of utilities in any City street right-of-way or City utility easement and the applicant, in making their application to do such work, shall agree to abide by these regulations and conditions:

1. The individual obtaining the permit shall, before commencing such work, notify the Public Works Department when the work at each location is to commence; and, when requested by the Public Works Department, shall submit plans and specifications.
2. Upon completion of the project, the individual shall promptly notify the Public Works Department for final inspection.
3. The public is to be protected by the individual, at all times, from the commencement of the work until the completion and acceptance by the City. The installer or contractor shall so conduct his operations as to cause minimum inconvenience to the public. The installer or contractor shall furnish, erect, and maintain, in accordance with the legally accepted standards, all necessary warning and traffic control signs, barricades, traffic cones, and flashers to direct and control the movement of traffic through the project in all directions and at all times. The foregoing provisions shall not in any way relieve the installer or contractor of any of his legal responsibilities or liabilities for the safety of the public.
4. All openings in bituminous surfaces shall be cut in a straight line with sides smooth and vertical. No jagged edges will be permitted. Cutting shall be done with a concrete saw, cutting wheel, full depth milling or similar approved applications.

Backfill material shall be suitable for highway embankment construction. No peat, frozen lumps, broken asphalt, sod, roots, or other undesirable material shall be permitted as backfill. Rocks larger than six inches (6") in diameter shall not be used in backfilling of trenches.

The backfill material shall be placed in layers not to exceed one foot (1') and mechanically compacted to not less than 95 percent of modified Proctor density. The upper six inches (6") of the backfill shall meet Minnesota Highway Department Specifications for Class 5 material and shall be compacted to not less than 100 percent of modified Proctor density.

As soon as possible after backfill operations are completed, the cut bituminous edges of the trench shall be painted with an asphalt emulsion such as SS-1. Immediately thereafter, the patching material shall be placed and mechanically compacted to not less than 95 percent of modified Proctor density. The asphaltic material used in patching shall be of the same type as removed from the roadway, except, that in no case, will a plant mixed asphalt of less quality than Minnesota Highway Department Specifications 2331 be used. The finished surface of the patch shall conform to the surface of the undisturbed roadway.

No permanent asphalt patches shall be on any base whose temperature is 32 degrees Fahrenheit or less. Cold weather patching shall be of temporary nature, using cold mixed asphalt, well graded crushed rock or similar approved materials. Temporary patches shall be true to line and grade. Temporary patches shall be replaced by permanent patches when weather conditions permit and notification shall be required as stated in item 2. All permanent asphalt patches shall be inspected immediately by the Public Works Department.

5. Other areas may be required to be compacted at the direction of the City Engineer.
6. Such permittee to be responsible for maintenance and repair of all trenches for a period of 36 months and if settlement occurs or excavation caves in, the same shall be promptly indicated by adequate warning signs and shall be restored to proper condition in accordance with specifications above provided as soon as conditions permit.
7. All culverts and ditches shall be replaced in their original position and condition existing prior to construction and no change shall be made in drainage without approval of the Public Works Department.

8. Permittee shall hold the City harmless from all third party claims for injury or damage which may occur between the time the work commences and the time it is finally accepted by the City.
9. The permittee may be required to jack or bore under certain streets, as determined by the Public Works Department. Boring and jacking must follow the City of Avon Standard Specifications.
10. The applicant shall furnish evidence of public liability insurance of not less than \$1,000,000/2,000,000 and property damage of not less than \$500,000 issued by an insurance company authorized to do business in the State of Minnesota on which the City is named as an additional insured party.
11. Except for the negligent acts of the City, its agents and its employees, the permittee shall assume all liability for, and hold the City, its agents and its employees, harmless and defend same at its sole cost and expense from any and all claims for damages, actions or causes of action arising out of the work to be done herein and the continuing uses by the permittee, including but not limited to the placing, constructing, and reconstructing, maintaining, protecting and use of said facility under this application and permit for construction.
12. Existing Facilities – The utility facility and installations shall not interfere with any existing utility facility on the City’s right-of-way or easements. It is the responsibility of the applicant to call for necessary locations of existing utilities. (Gopher One 651-454-0002)
13. Private Property – The work permit or permit for construction as issued does not in any way imply that the appropriate easement exists to allow the applicant to work on private property.
14. Cutting Trees – The permission herein granted does not confer upon the permittee the right to cut, remove or destroy trees or shrubbery within the legal limits of the right-of-way. Easements that are not specifically identified on the plan attached to this permit or relieve permittee from obtaining any consent otherwise required from the owner of the property adjacent thereto.
15. Clean-Up – Street, trailways and affected right-of-way shall be scraped clean at the end of each workday and swept clean after construction is completed and left in a neat and presentable condition.
16. Replacement of Sod – Wherever top-soil and sod are disturbed, they shall be replaced in kind and maintained satisfactorily until the turf is established or mulched and seeded with proper erosion control including temporary erosion control within 72 hours of disturbance.
17. Failure to Restore - If permittee fails, in a timely manner, to restore the public right-of-way to the condition required by the Public Works Department, the Public Works Department shall notify the permittee in writing of the specific failures and shall allow permittee five (5) working days from the receipt of the notice, to cure or develop a plan to cure the failures.
18. City Restoration - In the event the permittee fails to cure or fails to respond to the notice, the City may, at its discretion, perform the work necessary to restore. Permittee shall pay the City within thirty (30) days of billing the costs to restore the right-of-way. City costs may include: administrative, overhead, mobilization, material, labor, and equipment. If permittee fails to pay the City for the restoration work within the thirty (30) day period, the City shall use the security given for the permit to pay for the costs of restoration. Nothing in this section shall prevent the City from determining that an emergency situation arises and to take prompt action to protect the health and safety of the public.
19. Any debris generated due to the work, must be removed from the City right-of-way within 24 hours.

The undersigned hereby declares he/she has read and will comply with all the PERTINENT REGULATIONS as stated above and in relevant City Ordinances.

Signed: _____ Date: _____

FOR OFFICE USE ONLY

Right-Of-Way Work Permit

PERMIT #	
DATE	
FRANCHISE	<input type="checkbox"/> YES <input type="checkbox"/> NO

APPLICANT: _____ PHONE # _____

ADDRESS: _____

EMERGENCY CONTACT AND PHONE #: _____

CONTRACTOR PERFORMING

WORK: _____ PHONE# _____

ADDRESS: _____

LOCATION OF PROJECT: _____

DESCRIPTION OF WORK: _____

(Attach additional pages if needed)

TYPE OF EXCATVATION: HOLE TRENCH BORE JACKING
 OTHER(DESCRIBE) _____

CONSTRUCTION DETAILS: LENGTH _____ WIDTH _____ DEPTH _____ SIZE _____
MATERIAL _____

WILL DETOURING OF TRAFFIC BE NECESSARY? YES NO
(if yes, indicate the detouring route) _____

DETOURS: The Public Works Department shall be notified in writing at least 72 hours in advance of any detour being established, changed or discontinued. The Public Works Department phone # is 320-470-0203

ESTIMATED START DATE: _____ COMPLETION DATE: _____

FILL IN THE QUANTITIES OF RESTORATION ITEMS:

CURB & GUTTER	_____ L.F.	STREET	_____ S.F.
TRAIL/SIDEWALK	_____ S.F.	TREES	_____ #
SIGNS	_____ #	BLVD/GREEN AREAS	_____ S.F.
UTILITIES	_____ L.F.	LIGHT POLES	_____ #
FENCE	_____ L.F.	OTHER	_____

FINANCIAL GUARANTEE: A Letter of Credit, Bond, or Cash will be required based on the quantities shown in the table above. The financial guarantee will be held for one year after the restoration has been completed. After one year the City will inspect the restoration and if satisfactory, return the financial guarantee.

SUBMISSION REQUIREMENTS:

- A.) Completed application form
- B.) Application fee
- C.) Public liability insurance
- D.) Drawing of proposed installation showing location of proposed facilities, affect on existing utilities, and restoration of project areas. Drawings should show dimensions of facilities from the roadway centerline or property line.
- E.) Financial Guarantee, sufficient to pay the cost of restoration

The undersigned hereby makes application to the City of Avon to perform work as described herein. The undersigned further states, under penalty of law, that the work will be performed in accordance with the City of Avon's Ordinances and this application.

Signed: _____ Title: _____ Date: _____

City Use Only

Authorization of Permit

Financial Guarantee Amount \$ _____ Financial Guarantee Type _____ (Letter of Credit, Bond, or Cash)
Permit Fee \$ 100 _____ Franchise Party? ___ Yes ___ No
Liability Insurance provided? ___ Yes ___ No (Insurance Certificate must name the City of Avon as an additional insured party)

In consideration of agreement to comply in all respects with the regulations of the City of Avon covering such operations, and pursuant to authorization duly given by said City of Avon, permission is hereby granted for the work to be done as described in the above application and submitted drawings, said work to be done in accordance with this application, submitted drawings, and "regulations pertaining to the installation or repair of underground utilities in city streets or in city right or way/easements".

City Official: _____ Date: _____

Permit is valid if signed by City Official

ALL REQUIREMENTS SHOWN ON PAGE ONE (1) AND ON ALL "REGULATIONS PERTAINING TO THE INSTALLATION OR REPAIR OF UNDERGROUND UTILITIES IN CITY STREETS OR IN CITY RIGHT OF WAY/EASEMENTS" SHALL BE COMPLIED WITH. THE DATE WHEN WORK IS COMPLETED MUST BE REPORTED TO THE CITY OF AVON CITY ENGINEER.