

## **TITLE VI PHYSICAL ENVIRONMENT**

### **CHAPTER 1 STREET CUTS, EXCAVATIONS, AND DRIVEWAYS**

6-1-1	Excavation Permit Required	6-1-6	Rules and Regulations
6-1-2	Application for Permit	6-1-7	Definitions
6-1-3	Permit Fees	6-1-8	Permit Required
6-1-4	Safety Measures	6-1-9	Sidewalks
6-1-5	Backfilling and Restoration	6-1-10	Special Driveway

6-1-1 EXCAVATION PERMIT REQUIRED. Excavating within the right-of-way of public streets and alleys, and of public grounds, and the cutting of surfacing or pavings of the traveled way therein, shall not be done by any person, firm, association, or corporation without obtaining a permit from the City Clerk.

(Code of Iowa, Sec. 364.14(2))

6-1-2 APPLICATION FOR PERMIT. No person shall commence excavation in any public street or public ground until that person has applied to the City Clerk for an excavation permit. Such application shall indicate the location of the excavation, the name and address of the applicant who is to do the work, whether public liability insurance is in force, and that the applicant has checked the underground map of all utilities, and other owners of underground facilities, and that the applicant has notified those persons or companies of the time that excavation will commence. The making of an application shall be deemed notice to the City of the plan to cut the street surfacing or pavements, and to obstruct the public way. Such permits shall not be valid until six hours after receipt unless the Clerk waives this requirement.

In an emergency, authorized persons or companies may commence excavations provided that they shall have made a reasonable effort to inform the City and the utilities whose underground utilities might be involved in any way, and those involved in the excavation shall make written application at the earliest practicable moment. The Clerk may provide on the form for the certification that the applicant has notified all utilities and other parties required by this Ordinance.

6-1-3 PERMIT FEES. The permit fee shall be \$25.00 for the cost of each inspection. A single excavation shall be deemed to constitute all the digging necessary for a single connection, or a cut for installing a main not exceeding 100 feet in length. An additional fee of \$25.00 shall be required for every additional 100 feet, or major fraction thereof, of main excavation. All fees are doubled if excavation commences before a permit is obtained.

6-1-4 SAFETY MEASURES. Any person, firm, or corporation cutting a pavement or surfacing or excavating in the streets shall erect suitable barricades, maintain warning lights from sunset to sunrise each night, and take such other precautions as necessary for the safety of the public, whether vehicles or pedestrians. Vehicles, equipment, materials, excavated material, and

similar items shall likewise be protected by lights and warning devices, such as traffic cones, flags, etc. Where traffic conditions warrant, the party excavating may be required to provide flagmen, if in the judgment of the Chief of Police the public safety requires it. Compliance with City Ordinances and regulations shall not be deemed to waive the requirements that the party excavating shall comply with all the requirements of the labor safety laws and the rules of the Iowa Department of Labor, nor shall any failure be deemed a responsibility of the City.

6-1-5 BACKFILLING AND RESTORATION. Any person excavating in the streets shall be responsible for the backfilling of the excavation in accordance with City specifications and the restoration of the pavement or surfacing to as good a condition as that existing prior to the excavation. If any excavator fails to backfill or restore the pavement or surfacing properly within forty-eight hours of the completion of the underground work, the City reserves the right to backfill and resurface or install new paving and charge the cost thereof to the party excavating. If any backfilling or pavement or surfacing restoration is not in accordance with the City specifications, the City Administrator is authorized to have remove such material, as is necessary, and to backfill and restore the pavement or surfacing properly.

6-1-6 RULES AND REGULATIONS. The City Council may by resolution establish such rules and regulations for the manner of making cuts and related matters involving excavations.

## DITCHES

6-1-7 DEFINITIONS. For use within this chapter the following terms are defined:

1. "Driveway" means that part of any approach for motor vehicles to private property that lies between the property line and the roadway of the public street.

2. "Person" means any individual, firm, corporation, trust, or other association.

3. "Special Driveway" means that part of any approach for motor vehicles to private property that lies between the property line and the roadway of the public street and where the ordinary grad of the sidewalk is changed by depression or elevation for the driveway.

(Ord. 266, Passed 1971)

(Ord. 719, Passed 2012)

6-1-8 PERMIT REQUIRED. Before any person shall construct or repair a driveway, that person shall obtain a written permit from the City Clerk. The application shall include the name of the property owner and a description of the construction or repair to be performed. The permit fee shall be \$10.00. Each permit shall expire six months from the date of issuance.

(Ord. 266, Passed 1971)

(Ord. 719, Passed 2012)

6-1-9 SIDEWALKS. Except where a permit for a special driveway has been granted, the grade of any sidewalk shall not be altered by the work done. The driveway shall be at the same level as any existing sidewalk.

(Ord. 266, Passed 1971)

(Ord. 719, Passed 2012)

6-1-10 SPECIAL DRIVEWAY. Where a driveway or approach is constructed from the curb, the depression for said driveway or approach shall extend from the face of the curb back toward the property line not to exceed four inches for each inch in height of the top of the curb above the gutter except where special conditions exist. In any instance where special conditions exist, the City Administrator shall make such rules and requirements as may be reasonable in the particular case.

(Ord. 266, Passed 1971)

(Ord. 719, Passed 2012)

