

ARTICLE II - STREET EXCAVATIONS

40-2-1 INTENT. This Article is adopted for the purpose of protecting the City's investment in public streets and sidewalks and to improve the safety and welfare of the public in general.

40-2-2 SCOPE. This Section shall apply to any person, individual, partnership, business, company, firm, corporation, public utility and non-profit organization, who makes or causes to be made openings, or excavations on any public thoroughfare, or sidewalk within the corporate limits of the City.

40-2-3 PROCEDURE. All persons shall obtain a permit in writing for each and every location prior to beginning an opening or excavation on any public thoroughfare, or sidewalk. Permits will be issued by the Building and Housing Office on a printed form supplied by the City.

(A) The fee for permits within any public right-of-way shall be as follows:

Residential Sanitary Sewer Connection	\$25 each
Commercial/Industrial Development	\$100 each
Driveway Entrance Construction	\$20 each
Utility Company Main Line Installation	\$100 each
Utility Company Service and Repairs	\$10 each ⁱ
Contractor working for the City	No Charge

(B) Any person or entity found working on right-of-way without a valid permit in addition to the provisions of **Section 40-2-7** shall pay double the cost of the permit.

40-2-4 EXCAVATION REQUIREMENTS. It will be necessary to follow the procedures as outlined below and all applicable Illinois Department of Transportation Standard Specifications when opening, backfilling and patching excavations that are performed on City right-of-way. In case of conflict, this notice shall take precedence. All Article and Section references are to the Current Illinois Department of Transportation Standard Specifications for Road and Bridge Construction, herein referred to as IDOT Standard Specifications.

(A) **Compaction of Backfill Material.** Each excavation in or on a public street, driving surface, curb and gutter or sidewalk, or within **two (2) feet** of a public street, driving surface, curb, gutter, curb and gutter, or sidewalk shall be backfilled per Section 208 of the IDOT Standard Specifications, except as modified herein:

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Article 208.02 "Materials" shall be changed to require the use of Coarse Aggregate as specified in Article 704.04 of the IDOT Standard Specifications, and that the coarse aggregate gradation shall be CA06ⁱⁱ. Fine Aggregate will not be allowed for haunching and trench backfill.

Haunching and trench backfill material shall be compacted in according to Method 1, as specified in Article 550.07 of the IDOT Standard Specifications.

Whenever the City Engineer has reasonable cause to believe that backfilling for any excavation is not being done with acceptable materials or is not being adequately compacted, the City Engineer will require tests to determine whether or not the backfill material/compaction technique meets the minimum requirements prescribed. All expense for such tests shall be borne by the permittee.

(B) **A Twelve (12) Inch Bench on All Excavations in Public Streets, Driving Surfaces and Sidewalks is Required.** A **one (1) foot** ledge of undisturbed earth on all **four (4) sides** of the excavation shall be left to support the pavement patch. The **one (1) foot** distance shall be measured from the edge of the subgrade which is disturbed by the vertical excavation.

(C) **Patches in Pavement.**

- (1) All pavement to be patched must first be saw cut to the **full depth** of the pavement. The removal of the pavement shall result in a vertical patch face. If a non-vertical and/or rough face result from the removal process, the permittee will be required to extend the patch to eliminate these problems.
- (2) Patches in concrete pavement shall be placed equal to the thickness of the adjacent pavement but in no case shall a concrete patch be less than **eight (8) inches**. Saw kerfs in concrete pavement to be filled and sealed with either hot poured joint sealer or self leveling polyurethane sealer, limestone color. Edges of all concrete pavement patches and any construction joints within the patch, shall be tooled or sawn to provide an adequate reservoir for joint sealer. Joints to be sealed in the same manner as saw kerfs. Patching technique to be determined by existing pavement type per Article 442.01 class A, B, or C. All patch classes to be placed per Section 442, pavement patching. All concrete for concrete patches shall be a high early strength concrete capable of reaching a compressive strength of 3200 psi within **sixteen (16) hours**. A non-calcium accelerator will be required in all cases. Opening the patch to traffic will be according to Article 701.17(3).
- (3) Where excavations are made in concrete pavements, the pavement area removed will also be controlled by the proximity of existing joints. If the pavement area to be removed is **one (1) foot** or less from a joint, the pavement shall be removed to the existing joint. In no case, however, shall the **one (1) foot** distance required by paragraph (B)

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be disregarded. If in the removal of pavement an expansion joint is damaged, or removed, it shall be replaced with pre-molded asphaltic expansion joint **one (1) inch** thick. Joint to be sealed per Article 420.05 and 420.12.ⁱⁱⁱ

- (4) Patches in oil and chip surfaces shall be **eight (8) inch** rock and **three (3) inch** hot mix asphalt surface. All asphalt work shall be per Sections 355 and 406. With the permission of the ENGINEER, the permittee may use full depth concrete provided that the concrete is dyed black with an approved concrete dye.
- (5) Patches in areas previously overlain with asphalt streets shall be replaced as follows:
 - (a) Asphalt overlays shall have an asphalt surface equal to the thickness of the existing blacktop surface placed on a concrete base course. The concrete base course shall be the thickness of the original concrete, but not less than **eight (8) inches**. All asphalt work shall be per Sections 355 and 406. With the permission of the ENGINEER, the permittee may use full depth concrete provided that the concrete is dyed black with an approved concrete dye. All concrete for concrete base course shall be a high early strength concrete capable of reaching a compressive strength of 3200 psi within **sixteen (16) hours**. A non-calcium accelerator will be required in all cases. Opening the patch to traffic will be according to Article 701.17(3).
 - (b) All concrete patches and concrete base course will be tied to the adjacent concrete pavement, curb, gutter, and combination curb and gutter with tie bars and dowel bars according to Section 442 of the Standard Specification and according to current versions of IDOT Standards 420701, 442001 and 442101 or the Belleville standard for concrete patching. The ENGINEER will determine which standard is applicable to the location to be patched prior to issuing a permit.
 - (c) Patches in asphalt streets shall match the existing pavement structure, but in no case shall asphalt thickness be less than **eight (8) inches**, with **six (6) inches** being base course and **two (2) inches** surface course. Base course to be per Section 355. Surface course to be per Section 406.

- (6) Written notification shall be given the City Engineer **forty-eight (48) hours** prior to pouring or placing any permanent street patches.
- (7) Temporary patches for the convenience of traffic movement must be placed. They shall be made with a good quality of bituminous patching material properly placed, thoroughly rolled to optimum compaction and of sufficient thickness to bear the type of traffic using the street. The individual or company holding the excavation permit shall be responsible to insure that the temporary patch is properly maintained. Temporary patching may not be left in place longer than **fourteen (14) days^{iv}**. After removal of the temporary patch and prior to placing the permanent repair, the aggregate sub base shall be re-graded and re-compacted. **Under no circumstances may aggregate be used for a temporary driving surface.**
- (8) Any pavement markings and/or raised reflective pavement markers that are removed with the patch shall be replaced with material of the same type as the material removed. Pavement markings shall be installed according to Section 780 of the Standard Specifications. Raised reflective pavement markers shall be installed according to Section 781 of the Standard Specifications.

(D) **Sidewalk Replacement.** Sidewalk shall be sawn full depth at nearest joint. (See IDOT Article 424.07 for placement of expansion.)

Where sidewalks are perpendicular to curb, or parallel and restricted on side opposite curb, a **one (1) inch** preformed expansion joint filler shall be inserted by curb before sidewalk replacement.

Expansion joint filler shall be equal to "**Homex-Plus**" with bond breaker.

After removal of top filler, expansion joint shall be sealed with polyurethane sealant, limestone color, equal to "**Sonolastic**" SLI or SL2.

Where street signs occur in sidewalk to be replaced, a **four (4) inch** diameter plastic pipe shall be placed centered on sign, full depth of sidewalk. Void around post shall be filled with cold patch and compacted.

Where meter posts occur in sidewalk to be replaced, poles shall be isolated in a 1 foot X 1 foot square with expansion joint on square's perimeter. Pole shall have a minimum 1 foot diameter X 1 foot deep foundation poured around it below bottom of sidewalk grade.

(E) **Curb, Gutter and Combination Curb and Gutter Patches.** Curbs, gutters and combination curb and gutter are to be cut full depth and full width and carefully removed as to insure a vertical edge.

Where a patch occurs at a pavement expansion joint or no existing expansion device is within **fifty (50) feet** of patch, a **one (1) inch** thick preformed expansion joint filler, cut to curb cross section shall be inserted and a **one and one-quarter (1**

1/4) inch diameter, **eighteen (18) inches** long, smooth coated dowel bar, greased or fitted with endcap providing a minimum of **one (1) inch** expansion be installed. The curb, gutter, and combination curb and gutter shall be tied to adjacent concrete pavement or concrete base course according to the current version of IDOT Standard 606001.

Expansion fillers shall be equal to "**Homex-Plus**" with bond breaker.

After removal of top filler strips expansion joints shall be sealed with polyurethane sealer, limestone color equal to "**Sonolastic**".

Saw kerfs resulting from cutting operation will be remedied as in ordinance **Section 402-4(C)(2)**.

Requirements of the Illinois Accessibility Code shall be adhered to at all times. If a ramp is built on one corner another shall be built on opposite corner. Ramps shall be constructed per IDOT Standard 2356-2.

(F) **Traffic Control.** All excavation areas shall be properly barricaded and lighted for the protection of the general public.

The individual or company holding the excavation permit shall be responsible to insure that traffic control is maintained per applicable IDOT standards.

(G) **Brick Surfaces.** Notwithstanding the previous portions of this notice, where excavations are made in brick surfaces, the surface shall be replaced with brick or an approved concrete stamp with the same color and texture. Restoration techniques shall be those prescribed by the City Engineer.

(H) **Clean Up.** As the excavation work progresses, all streets shall be thoroughly cleaned of all rubbish, excess earth, rock, and other debris resulting from such work. All clean up operations at the location of such excavation shall be accomplished at the expense of the permittee and shall be completed to the satisfaction of the City Engineer. From time to time as needed, and in any event immediately after completion of said work, the permittee shall at his own expense clean up and remove all refuse and unused materials of any kind resulting from said work. Failure to do so within **twenty-four (24) hours** after having been notified by the City Engineer, will result in the City Engineer having the work done and the cost thereof charged to the permittee.

(I) **Lawn Restoration.** At locations where it is necessary to excavate in lawns that are in public right-of-way the persons making the excavation will complete the restoration in the following manner:

- (1) **Backfill.** Excavation shall be backfilled within **twelve (12) inches** of final grade as per (A) Compaction of Backfill Material. The final **twelve (12) inches** shall be of compacted top soil.
- (2) **Turf or Grass Areas.** At the request of the City and adjacent property owners, sod of the type and quality that existed prior to excavation, will be replaced.
- (3) **Decorative Rock and Miscellaneous Landscaping Material.** At the request of the City and the adjacent property owners, decorative rock, and other landscaping

material of the type and quality that existed prior to excavation, will be replaced.

- (4) **Trees and Shrubs.** At the request of the City and the adjacent property owners, trees and shrubs of the type and quality that existed prior to excavation will be replaced. City Engineer to make the final determination based on "Clear Zones", sewer locations and public safety. City Engineer to consult with City Forester as to acceptable planting types

40-2-5 RESPONSIBILITY. Any person shall provide such bond, insurance, or other legal financial guarantee that will save the City harmless from any and all damages real or personal, directly or indirectly resulting from excavations made in public thoroughfares and sidewalks. Written evidence of surety bond will be acceptable assurance for damage responsibility.

40-2-6 NOTIFICATION. Any person shall notify the City Engineer **forty-eight (48) hours** prior to backfilling an excavation and request approval thereof and a second notification shall be given **forty-eight (48) hours** prior to constructing the permanent patch.

40-2-7 PENALTY. Any person failing to comply with any part of the foregoing regulations shall be subject to a fine of not less than **Fifty Dollars (\$50.00)** nor more than **Five Hundred Dollars (\$500.00)** for each and every violation.

40-2-8 FITNESS OF APPLICANT. No permit shall be granted to any person who is in any respect delinquent in the payment of moneys herein provided for, or who, in the judgment of the Mayor, is unfit or unqualified to engage in the class of work herein provided for.

40-2-9 ANNUAL BOND. Any person desiring to file an annual bond may do so by filing the same in the sum of **Fifty Thousand Dollars (\$50,000.00)**. The bond shall cover all damages as mentioned herein.

40-2-10 CLOSING STREET. Whenever public safety or the improvement or repair of any street, alley or public place requires it, the Mayor may order any street, alley or public place temporarily closed to traffic and the placing of signs indicating that

by the orders of the Mayor, such street, alley or public place is closed. Whenever such signs are so placed, no person shall ride or drive upon or cross such street, alley or public place, or in any manner destroy, deface or remove any such sign.

40-2-11 OBSTRUCTING WORK IN STREETS. Whenever any street, alley or public place is being improved under any contract with the City, it shall be unlawful for any person to destroy, injure, carry away, remove or interfere with any of the material or appliances used in or about the work, or impede, obstruct or interfere with the execution of the work or destroy or damage any of the work or materials which may have been placed by the contractor.

40-2-12 BARRIERS AND LIGHTS. Whoever digs or causes to be dug, any ditch or excavation in or adjoining any street, sidewalk or other public place, shall erect a suitable barrier about such excavation and during the night keep a sufficient number of yellow lights at such excavation and the earth therefrom.

40-2-13 LIGHTS ON MATERIALS IN STREET. Every object standing on a street, alley or public place within the City other than a vehicle shall have a lighted yellow light thereon at night.

40-2-14 INTERFERENCE WITH BARRIERS AND LIGHTS. No person shall remove or interfere with any barrier, warning sign or light placed in any street for the protection of the public.

40-2-15 REGISTRATION FOR STREET EXCAVATION CONTRACTORS.
(A) **Required.** Any firm, person or corporation who intend to excavate in a public right-of-way or perform sanitary sewer work beyond **five (5) feet** of the exterior wall of any building shall cause his name, residence, and place of business to be registered with the City, along with the telephone number of said business.

(B) **Bond.** Each person required to register shall give bond to the City in the sum of **Fifty Thousand Dollars (\$50,000.00)**, conditioned upon a full indemnity to the City may be liable by reason of:

- (1) failure of any firm, person or corporation to observe ordinances of the City pertaining to excavation in a public right-of-way or perform sanitary sewer work beyond **five (5) feet** of the exterior wall of any building;
- (2) failure of the person to observe all rules and regulations established under the authority of any ordinances of the City pertaining to excavation in a public right-of-way or perform

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sanitary sewer work beyond **five (5) feet** of the exterior wall of any building;

- (3) negligence of the person or his employees in performing or protecting any street excavation, sewer work beyond **five (5) feet** of the building or right-of-way areas.

(C) Each person or firm prior to registering under this Section shall have a minimum policy of liability insurance in the amount of **Five Hundred Thousand Dollars (\$500,000.00)** and shall present proof of said insurance to the City. The City must be listed as an additional insured on the liability insurance.

The bond shall be renewed annually in the event of the impairment of the surety. The bond may be written by a surety company, or may be secured by a deposit of cash or United States government securities in the amount of the bond and shall be filed with the City Clerk.

No firm, person or corporation having obtained a bond with the City shall allow his name or his business name to be used by another person or company either for the purpose of obtaining permits or for street excavations work under this Code.

(Ord. No. 7087; 02-19-08)