

Chapter 510

EXCAVATIONS

Section 510.010. Defining "Street Cut". [Ord. No. 847 §1, 12-9-1993]

For the purpose of this Chapter the term "*street cut*" shall include any opening and excavation in any public street, alley, park, right-of-way or other public premises owned by or under the control of the City.

Section 510.020. Administrative Fee and Bond Required. [Ord. No. 847 §2, 12-9-1993]

- A. No person or entity shall submit an application for a street cut permit without first paying to the City Collector for Mound City a five dollar (\$5.00) permit fee for each proposed street cut.
- B. No person or entity shall cause a street cut to occur without first (1st) paying to the City Collector for Mound City a cash bond for each street cut to be held by the City for the purpose of abating any costs incurred by the City for remedial work which shall include, but not be limited to, erosion and/or deterioration caused by weather or ordinary wear and tear occurring within one (1) year following the final inspection and approval of said street cut. Within a reasonable time after the one (1) year anniversary date of the final inspection and approval of said street cut, the City Collector shall return to said person or entity any remaining balance of said bond fund.

Section 510.030. Amount of Bond Required. [Ord. No. 847 §3, 12-9-1993]

The City Collector shall first collect from any person or entity receiving a street cut permit a separate construction cash bond for each proposed street cut of no less than two hundred fifty dollars (\$250.00); provided however, that the City Officer overseeing street cuts shall first review the street cut application and depending on the street width, conditions of subgrade, lay or contour of land, width and length of street cut, street material or other extraordinary conditions, the City Officer may require a construction cash bond in excess of the two hundred fifty dollar (\$250.00) minimum bond for each separate street cut, but in no event shall said bond exceed the sum of one thousand dollars (\$1,000.00).

Section 510.040. Application For Street Cut Required. [Ord. No. 847 §4, 12-9-1993]

- A. No person or entity shall make a street cut without first making an application in writing to the City Collector on a form to be provided in triplicate by the City Collector showing the approximate location of the street cut and stating the purpose

of same. One (1) copy of said application form shall be signed by the Collector and returned to the applicant, one (1) copy shall be provided to the City Officer overseeing street cuts for his/her approval or disapproval and one (1) copy shall be maintained on file by the City Collector.

- B. The City Officer overseeing street cuts shall have at least three (3) days after receipt of said application for a street cut, exclusive of Saturday, Sunday and holidays, to approve or disapprove the proposed street cut and to determine the construction cash bond required for same.
- C. If the street cut application is approved, the same shall be so certified on the application form and the applicant shall pay to the City Collector the construction cash bond in the sum so determined by the City Officer and upon receipt of same, the City Collector or appropriate City Officer shall issue a street cut permit to the applicant.
- D. If the street cut application is not approved, the same shall be so certified on the application form and any fees paid by the applicant shall be refunded or the applicant may appeal said decision to the Mayor and the Board of Aldermen by giving written notice of same to the City Clerk. Said notice of appeal must be made by the applicant within three (3) days after the applicant's receipt of notice of disapproval. Upon the City's receipt of applicant's notice of appeal. A hearing for said purpose shall be held within thirty (30) days after receipt of such notice of Appeal. After hearing the applicant's protest, the Mayor and the Board of Aldermen shall make a ruling regarding same and their decision shall be binding.

Section 510.050. Inspection. [Ord. No. 847 §5, 12-9-1993]

Upon the closing of any street cut and as soon thereafter as reasonably possible, each street cut shall be inspected by the appropriate City Officer for compliance with the terms of this Chapter and final approval. In the event that said street cut closing fails to be approved, the person or entity making the street cut shall be responsible for correcting same as necessary to comply with the terms of this Chapter and to receive final approval by the City.

Section 510.060. Term of Street Cut Permit. [Ord. No. 847 §6, 12-9-1993]

No street cut shall remain open or under construction for a period of more than five (5) days; provided however, that the appropriate City Officer may allow for extensions of no more than two (2) days at a time. No street cut shall remain open or under construction over any Saturday or Sunday or any holiday, unless so authorized by the appropriate City Officer.

Section 510.070. Barricade, Lights and/or Smudge Pots Required. [Ord. No. 847 §7, 12-9-1993]

Each street cut shall be barricaded and identified with lights and/or smudge pots as so required by the appropriate City Officer. The person or entity responsible for the street

cut shall be responsible for providing the required barricades, lights and/or smudge pots. Failure to provide same shall be a violation of this Chapter.

Section 510.080. Construction Materials and Regulations. [Ord. No. 847 §8, 12-9-1993]

- A. Street cuts must be sawed for a smooth edge.
- B. Any sewer and/or water line street cut must be at a minimum two (2) foot wide and compacted by a compactor on every six (6) inches of fill until the excavation is six (6) inches from the roadway or other surface and thereafter filled with the same material such as dirt, rock, asphalt mix or concrete as consistent with the surrounding surface material.
- C. Any work utilizing a trencher shall be hand compacted each six (6) inches of fill until the surface of the excavation is reached and thereafter filled with the same material such as dirt, rock, asphalt mix or concrete as consistent with the surrounding surface material.
- D. All work must be completed so as to restore the street cut area in a manner consistent with the surrounding surface area and to the satisfaction of the City.

Section 510.090. Deviations. [Ord. No. 847 §9, 12-9-1993]

Under extenuating circumstances such as unusual street width, conditions of subgrade, lay or contour of land, development of new materials or methods or other unforeseeable conditions, the Mayor may, on the recommendation of the appropriate City Officer, waive any restrictive construction requirements specified in this Chapter when such deviation would not be detrimental to the City.