

Nephi City Corporation

21 EAST 100 NORTH • NEPHI, UTAH 84648 • PHONE (435) 623-0822

STREET CUT/EXCAVATION PERMIT

Date: _____

General Site Info

Property Owner: _____

General Site Location: _____

Description of Excavation Boundaries: _____

Phone Number: _____

Address: _____

Contractor Info

Name: _____

Contractor License Number: _____

Phone Number: _____

Address: _____

Contractor Representative: _____

Representative's Phone Number: _____

Nature of Work

(Mark all that apply)

Trenching Boring Commercial Residential

Curb & Gutter Sidewalk Driveway Irrigation Water Storm Drain

Sewer Gas Electric Phone CATV Conduit/Fiber

Other _____

Date work to begin: _____

Estimated completion date: _____
Asphalt and/or concrete patching will be completed by what date? _____

Required Conditions

All excavations in the City street right of ways are subject to title 7 chapter 3 of the City's administrative code. Contractors shall notify Public Works Director two (2) working days in advance of work to be performed and also two (2) working days before any required inspection.

The completed application must have a surety bond or cash deposit shall be established by resolution and may be changed from time to time, but until such resolution is passed the amount of the surety or cash deposit shall be five hundred dollars (\$500.00) and twenty five dollars (\$25.00) for each foot of street the permittee shall excavate. The cash bond or performance bond will be held by the City to guarantee that the required improvements and restoration will be completed. The contractor must agree, at no cost to the City, to make all repairs to and maintain the improvements and every part thereof in good condition during a one (1) year guarantee period. For additional bond conditions see title 7 chapter 3 section 2 of the City administrative code.

Roads shall not be cut between October 31 and April 1 without permission from the Public Works Director, whether or not the permit has been issued.

I agree to comply with the above requirements, all applicable State and Federal Laws, all Nephi City Standards, Specifications, Ordinances and other applicable requirements.

Applicant: _____ Date: _____
Contractor/Owner

Work Authorized: _____ Date: _____
Public Works Director

Final Inspection Passed: _____ Date: _____
Streets Superintendent

Office Use Only

Surety Bond Cash Deposit

(\$500.00 + \$25.00/lineal foot of road cut) Amount: _____

7-3-1: PERMIT REQUIREMENTS:

A. Required: It shall be unlawful for any person to break, excavate, tunnel, undermine or in any manner affect the surface or base of any street or to place, deposit or leave upon any street any earth or any other excavated material obstructing or tending to interfere with the free use of the street, unless such person shall first have obtained an excavation permit therefor from the city. (1979 Code § 11-395; amd. 2007 Code)

B. Streets And Sidewalks:

1. No person shall make any excavation in any street, lane or alley or remove any pavement or other material from any street or improvement thereon without first obtaining a permit from the city.
2. No person shall excavate any sidewalk without first obtaining a permit from the city or other authorized personnel. (1979 Code § 11-381; amd. 2007 Code)

C. Franchise; Public Utility:

1. Nothing contained in this chapter shall be construed to waive the franchise required for any person by city ordinances or laws of Utah. (1979 Code § 11-381)
2. Any public utility regulated by the state or holding a franchise from the city which, in the pursuit of its calling, has frequent occasion to open or make excavations in streets, may, upon application, receive a general permit from the city to cover all excavations such utilities may make within the streets of the city. (1979 Code § 11-395)

7-3-2: BOND REQUIRED:

A. Conditions: In order to ensure proper backfill and restoration of surface, the permittee shall deposit a surety bond or cash deposit with the city recorder, payable to the city, except that a public utility operating or using any of the streets under a franchise from the city will not be required to furnish such bond, providing such franchise obligates the holder thereof to restore the streets and to hold the city harmless in the event of any injury to any person or damage to any property due to negligence of such holder in conducting excavation and restoration operations under such franchise. The required surety bond must be:

1. With good and sufficient surety.
2. By a surety company authorized to transact business in the state.
3. Satisfactory to the city attorney in form and substance.
4. Conditioned upon the permittee's compliance with this chapter in order to secure and hold the city and its officers harmless against any and all claims, judgments or other costs arising from the excavation and other work covered by the excavation permit for which the city, the city council or any city officer may be made liable by reason of any accident or injury to any person or property

through the fault of the permittee arising out of failure to properly guard the excavation or for any other negligence of the permittee.

5. Conditioned to fill up, restore and place in good and safe condition, as near as may be to its original condition, and to the satisfaction of the city, all openings and excavations made in streets, and to maintain any street where excavation is made in as good condition for the period of twenty four (24) months after the work shall be done, usual wear and tear excepted, as it was before the work shall have been done. (1979 Code § 11-394)

B. Amount: The amount of the surety bond or cash deposit shall be established by resolution and may be changed from time to time, but until such resolution is passed the amount of the surety or cash deposit shall be five hundred dollars (\$500.00) and twenty five dollars (\$25.00) for each foot of street the permittee shall excavate. (1979 Code § 11-394; amd. 2007 Code)

7-3-3: SUBJECT AND EXCLUDED EXCAVATIONS:

A. Types Subject To Provisions: The types of excavations subject to the provisions of this chapter are excavations for installation or repair of water lines, sewer lines, gas lines, electrical cable and conduits, telephone cable and conduits, and all other excavations for any other purpose within the street rights of way of the city or in other public places. (1979 Code § 11-383)

B. Types Not Subject To Provisions: The types of excavations which do not come within the scope of this chapter are excavations of any kind in city streets in projects designed, contracted for and inspected by the city engineer or other authorized personnel of the city. (1979 Code § 11-382)

7-3-4: STANDARDS:

A. Preparation: The pavement, sidewalk, driveway or other surface shall be cut vertically along the lines forming the trench in such a manner as to not damage the adjoining pavement or hard surfacing. An undercut bevel at the rate of one inch (1") per foot of thickness will be provided at the proposed junction between the old and new surfaces. The portion to be removed shall be broken up in a manner that will not cause damage to the pavement outside the limits of the trench. However, any pavement damaged by operations outside the limits of the trench shall be replaced. All waste material resulting from the excavation shall be removed immediately from the site of the work. (1979 Code § 11-384)

B. Backfill:

1. Materials: Materials for backfill will be of select nature. All broken concrete, peat, decomposed vegetable matter and similar materials obtained from excavation will be removed from the site prior to beginning of backfilling. All backfill will be placed in layers not over eight inches (8") loose measure in thickness. Compaction will be obtained by mechanical rollers, mechanical tampers or similar means. Material for backfilling will have optimum moisture to ensure compaction to a

degree equivalent to that of the undisturbed ground in which the trench was dug. Jetting or internal vibrating methods of compacting sand fill or similar methods of compacting sand or similar granular free draining materials will be permitted.

2. Density: The density (dry) of the backfill under pavements, sidewalks, curbs or other structures will be not less than that existing prior to excavation. The fill shall be restored and placed in a good condition which will prevent settling. (1979 Code § 11-385)

C. Restoration Of Hard Surfaces:

1. General: All street surfacing, curbs, gutters, sidewalks, driveways or other hard surfaces falling in the line of the excavation which must be removed in performance of the work shall be restored in kind by the excavator, unless otherwise directed by the city council, in accordance with the specifications contained herein governing the various types of surfaces involved.
2. Protection Of Paved Surfaces: In order to avoid unnecessary damage to paved surfaces, track equipment shall use pavement pads when operating on or crossing paved surfaces.
3. Time: In traffic lanes of paved streets, the excavator shall provide temporary gravel surfaces or cold mulch in good condition immediately after backfill has been placed, and shall complete permanent repairs on the street, sidewalk, curb, gutter, driveway and other surfaces, within five (5) days from the date of completion of the backfill, except for periods:
 - a. When permanent paving material is not available.
 - b. When weather conditions prevent permanent replacement.
 - c. When an extension of time is granted by the superintendent of streets.
4. Temporary Repair: If temporary repair has been made on the paved street with gravel and a permanent repair cannot be made within the time specified above due to any of the above mentioned conditions, then the excavator shall be required to replace the gravel with cold mulch as soon as possible. (1979 Code § 11-386)

D. Restoring Bituminous On Concrete Or Asphalt Surfaces:

1. Temporary Grade Surface: Where excavations are made in paved areas, the surface shall be replaced with a temporary gravel surface. The gravel shall be placed deep enough to provide a minimum of six inches (6") below the bottom of the bituminous or concrete surface. Normally, this will require nine inches (9") of gravel for bituminous surfaces, twelve inches (12") of gravel for concrete, and concrete base for asphalt wearing surfaces. The gravel shall be placed in the trench at the time it is backfilled. The temporary gravel surface shall be maintained by blading, sprinkling, rolling, adding gravel, to maintain a safe, uniform surface satisfactory to the building until the final surface is laid. Excess material shall be removed from the premises immediately. Material for use on temporary gravel surfaces shall be obtained from sound, tough, durable gravel or rock meeting the following requirements for gradings:

Passing 1 inch sieve	100 percent
Passing 3/4 inch sieve	85 - 100 percent
No. 4 sieve	45 - 65 percent
Passing no. 10 sieve	30 - 50 percent
Passing no. 200 sieve	5 - 10 percent

2. Bituminous Surface: The exposed edges of existing pavement shall be primed with type MC-1 bituminous material. The type, grade and mixture of the asphalt to be used for street surface replacement shall be approved by the superintendent of streets. The thickness shall be equal to the adjacent surface thickness but not less than three inches (3"). The complete surface shall not deviate more than one-half inch (1/2") between old and new work. (1979 Code § 11-387)

E. Concrete Surfaces: The subbase for concrete surfaces shall be sprinkled just before placing the concrete. Joints and surfaces shall be made to match the original surfaces. The thickness of concrete shall be equal to the adjacent concrete but in no case less than six inches (6") thick. The mixing, cement, water content, proportion, placement and curing of the concrete will be approved by the superintendent of streets. In no case shall the concrete have less compressive strength than three thousand (3,000) pounds per square inch at the end of twenty eight (28) days. (1979 Code § 11-388)

F. Concrete Base, Bituminous Wearing Surfaces: This type of surfacing shall be constructed as above described. (1979 Code § 11-389)

G. Gravel Surfaces: Trenches excavated through gravel surfaced area, such as gravel roads and shoulders and unpaved driveways, shall have the gravel restored and maintained as described in subsection E of this section, except that the gravel shall be a minimum of one inch (1") more than the thickness of the existing gravel. (1979 Code § 11-390)

H. Jetting Pipe: Jetting pipe by means of water under pressure or compressed air, is permitted only when approved by the city. (1979 Code § 11-393)

7-3-5: PROTECTION OF PUBLIC:

Excavation operations shall be conducted in such a manner that a minimum amount of interference or interruption of street traffic will result. Inconvenience to residents and businesses fronting on public streets shall be minimized. Suitable, adequate and sufficient barricades shall be available and used where necessary to prevent accidents involving property or persons. Barricades must be in place until all of the excavator's equipment is removed from site and excavation has been backfilled and proper temporary gravel surface is in place. From sunset to sunrise, all barricades and excavations must be clearly outlined by acceptable warning lights, lanterns, flares and other devices. Police and fire departments shall be notified at least twenty four (24) hours in advance of any planned excavation requiring street closures or detour. (1979 Code § 11-391)

7-3-6: RELOCATION AND PROTECTION OF UTILITIES:

An excavator shall not interfere with any existing utility without the written consent of the city council and without advance notice to the owner of the utility. If it becomes necessary to relocate an existing utility, it shall be done by its owner unless the owner otherwise directs. No utility, whether owned by the city or by a private enterprise, shall be moved to accommodate the permittee unless the cost of such work be borne by the permittee or an expressly written agreement is made whereby the utility owner and the excavator make other arrangements relating to such cost. The permittee shall support and protect by timbers or otherwise all pipes, conduits, poles, wires or other apparatus which may be in any way affected by the excavation work, and shall do everything necessary to support, sustain and protect them under, over, along or across the work. In case any of the pipes, conduits, poles, wires or apparatus should be damaged (and for this purpose pipe coating or other encasement or devices are to be considered as part of a substructure), they shall be repaired by the agency or person owning them, but the utility owner shall be reimbursed for the expense of such repairs by the permittee. It is the intent of this chapter that the permittee shall assume all liability for damage to substructures, and any resulting damage or injury to anyone because of such substructure damage and such assumption of liability shall be deemed a contractual obligation which the permittee accepts upon acceptance of an excavation permit. The city need not be made a party to any action because of this chapter. The permittee shall inform itself as to the existence and location of all underground utilities and protect the same against damage. (1979 Code § 11-392)

7-3-7: REVOCATION OR REFUSAL OF PERMIT:

All permits shall be subject to revocation and the city may refuse to issue a permit for failure of the permittee or applicant to abide by the terms and conditions of this chapter. (1979 Code § 11-395)

7-3-8: EXCEPTION IN EMERGENCY:

Excavation permits will not be requested prior to excavation in case of emergency endangering life or property, providing the city is notified as soon as practicable and a permit is applied for upon the next regular working day following the emergency. (1979 Code § 11-395)