

TO WHOM IT MAY CONCERN:

Effective September 26, 1994, all street excavation permits must be obtained from the PUBLIC SERVICE DEPARTMENT, Greer, SC.

Permit must be obtained 48 hours prior to excavation.

A deposit based on \$3.50 per cubic foot of excavation is required. Deposit is refundable upon satisfactory completion of work, unless the city assumes responsibility for excavation.

Emergency permits such as water or sewer breaks must be secured the next working day.

\$10.00 per day inspection fee will be charged for each day the cut is open. You will be charged this at the time of obtaining the permit. No refund for inspection fee.

If needed, a skid plate rental will be available for \$10.00 per day. These will be delivered by the Public Service Department and picked up when work is completed. No refund for plate rental.

A copy of the street excavation ordinance is attached. To clarify a variance, in lieu of concrete, 8 inches of crusher run may be compacted and topped with 4 inches asphalt compacted to road level.

The city has the right to deny any permit.

Compliance to all city ordinances is required including obtaining a city license.



No. 43-94

AN ORDINANCE

AN ORDINANCE TO AMEND CHAPTER 26 OF THE 1982 GREER CITY CODE, AS AMENDED, PERTAINING TO EXCAVATIONS OF STREETS, SO AS TO PROVIDE FOR LIABILITY AND INDEMNITY COVERAGE; TO ESTABLISH A PERMIT FEE; TO ESTABLISH SPECIFICATIONS FOR BACKFILLING, RESURFACING, REPAVING; TO PROVIDE FOR PUBLIC SAFEGUARDS; TO PROVIDE FOR THE REPEAL OF PROVISIONS IN CONFLICT; AND, TO PROVIDE FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREER IN COUNCIL DULY ASSEMBLED:

SECTION 1. Chapter 26, Article II, of the 1982 Greer City Code, as amended, is further amended by deleting Article II in its entirety and the following language substituted therefore:

"Article II. EXCAVATIONS

Section 26-26 Permits required.

It shall be unlawful for any person to make any excavation or opening in, on, under, or through any street, alley, sidewalk, or planting space within the city without having first secured a permit for such purpose from the Director of Public Services; and provided, further, that, if such street is a part of the state highway system, such persons shall have obtained an encroachment permit from the district office of the State Department of Transportation.

Section 26-27 Coordination with Public Works Commission and Codes Department.

Any cut or excavation in a city street, alley, sidewalk, or planting space which is concerned with a water or sewer tap or which may affect existing water lines and sewer lines shall be coordinated with the Commission of Public Works and the Codes Department of the City.

Section 26-28. Application for a permit.

Anyone desiring to secure an excavation permit shall make application therefor to the Director of Public Services, by written application, setting forth the purpose of making such opening or excavation, the approximate size of such opening, and the length, width, and depth of such excavation at its longest, widest, and deepest points, and any other data necessary to calculate the amount of materials necessary for filling said excavation.

Section 26-29 Deposit required; liability insurance; indemnification.

Prior to the issuance of an excavation permit, the person desiring to make such excavation shall deposit with the City a sum sufficient to guarantee the replacement of earth, gravel, and/or pavement as the case may be, and further, such person shall provide proof of liability insurance in an amount determined by the Public Services Director, naming the City as an additional insured.

In addition, should any action or claim be brought against the City as a result of a person or entity building, constructing, working or encroaching upon a City right-of-way or easement, such person, whether written permission was received or not, and whether the required insurance was in effect or not, shall defend, indemnify and hold the City harmless from any such actions or claims.

Section 26-30 Backfilling, resurfacing, repaving-responsibility requirements.

All backfilling or repaving of any such excavation shall be done either by the Department of Public Services or by the permit holder or other person under the direction of the Director of Public Services, in accordance with the following specifications:

(a) Backfilling:

1. All excavations shall be made with vertical walls.
2. Backfill shall be made with good sound material, free from wood, trash, or other foreign materials.
3. Backfill shall be made in not more than eight (8) inch layers of moist materials, and shall be firmly and solidly packed and tamped until the excavation is completely filled with well-packed material.

(b) Resurfacing:

1. In all unpaved streets and alleys, after backfill is completed, the surface shall be reconstructed or replaced with whatever type of material existed on said street or alley when the excavation was made.
2. In all unpaved sidewalks or planting space areas, after backfill is completed, said areas shall be replaced in the condition that existed prior to making said such excavations, particularly regarding sod or grass, and proper elevation of finished surface, and in planting areas no trench or excavation shall be made that will remove or endanger any shrubbery, flowers, trees, or other planting, unless special arrangements are made with the Director of Public Services.

(c) Repaving:

1. After backfill is completed to subgrade or to the bottom of paving slab or foundation in all paved streets or alleys, the paving material shall be removed beyond all outside vertical lines or walls of the excavation, and beyond any wall line that should develop due to the caving or sliding of any wall, a distance of twelve (12) inches, so as to leave a shoulder of solid and unbroken earth on all sides of the excavation as an additional foundation for new concrete mixture.
2. New concrete mixture of 8" compacted crusher run stabilized with 5% Portland cement shall be poured into the excavation; where the street is of solid concrete, the excavation shall be filled to the surface of the street with concrete of standard grade and mix and the concrete shall be finished with a smooth and even surface; where the street has a concrete foundation with a surface of asphalt or other material, the concrete shall be poured to the top of the paving slab and the surface shall be finished with the same material as the surface of the street, in accordance with the attached diagram.
3. Where the excavation is made through a concrete sidewalk, the excavation shall be backfilled as above outlined, a cutback shall be made 12 inches on each side of the vertical lines or walls of the excavation and the sidewalk shall be replaced in the same manner as the concreting of streets, provided above.

Section 26-31 Costs; Inspection and Supervision Fees.

- (a) Where the work specified in Section 26-31 of this Code is done by the Director of Public Services, all costs therefor shall be paid out of the deposit made with the application for permit, and, in addition thereto, there shall be charged a fee of five (\$5.00) dollars per day or fractional part thereof, for the supervision of such excavation or repair work. Where such work is done by the permit holder or other person under the direction of the Public Services Director, an inspection fee of ten (\$10.00) dollars per day, or fractional part thereof, shall be charged for the inspection of such replacement work. On all miscellaneous cuts or excavations requiring only one hour or less to inspect, an inspection fee of ten (\$10.00) dollars shall be charged, but should the work not be in compliance with the provisions of this article when inspected, a like additional fee shall be charged for each additional inspection.
- (b) When the work is approved by the Director of Public Services, or an inspector appointed by him for that purpose, the amount of deposit with the application for permit, less the amount of the inspection fees and the cost of all work done shall be returned to the depositor. All inspection fees collected under this article shall be paid to the City Finance Director and deposited in the general fund.

Section 26-32 Barricades, Lights, etc.

Any person making any such excavations in any of the public thoroughfares shall safeguard the public in every manner by maintaining the necessary guards, barricades, lights, etc., during the construction, excavation or repairing of said street.

Section 26-33 Authority to Require Trench Cover.

The Director of Public Services is hereby authorized, should he consider it necessary for the protection of vehicular and/or pedestrian traffic to order the holder of a permit to provide a cover for any trench or excavation after backhoe is completed, covering the excavation completely and at least six inches larger than the dimensions of the trench or excavation, and laid over same, and maintain said cover in good safe condition, until the repairs or repaving are commenced hereunder.

Section 26-34 Notice, Correction of Violations.

Should any person fail to replace materials, fail to restore areas to their original condition, or in any way fail to comply with the conditions of this article within one week after they have been notified by the Director of Public Services that such work should be done, the City, through the Director of Public Services shall have the right to do the necessary work of restoration of original conditions and charge the cost of same to the parties or party doing said excavation work."

SECTION 2.. All ordinances and regulations or portions of ordinances and regulations in conflict with this ordinance are hereby repealed.

SECTION 3. This ordinance shall take effect upon second reading approval thereof.

C. Don Wall
C. Don Wall, Mayor

ATTEST:

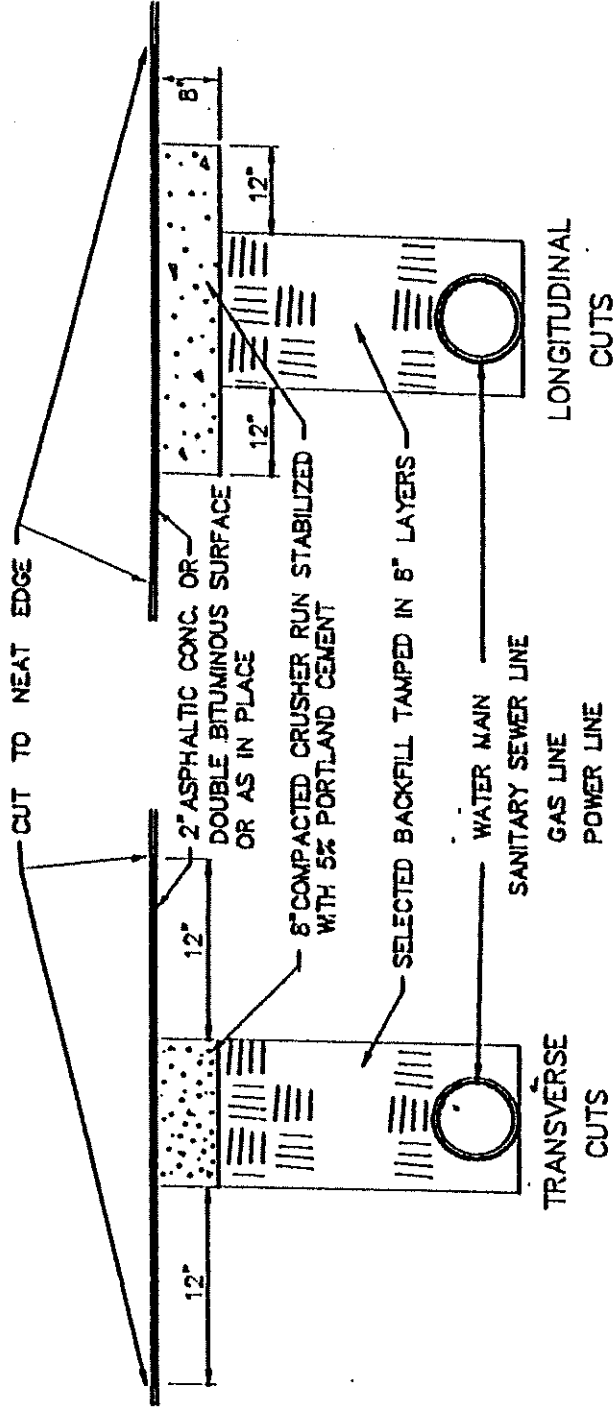
Lucia Polson
Lucia Polson, Municipal Clerk

Introduced by: Ernie Ellenburg

First Reading: August 23, 1994

Second Reading: September 13, 1994

Approved as to Form: Harold W. [Signature]
City Attorney



DETAILS FOR CUTTING AND REPLACING PAVEMENT

(N.T.S.)