

Chapter 9-04

EXCAVATIONS

Sections:

9-04-01	DECLARATION OF POLICY AND PURPOSE
9-04-02	PERMIT REQUIRED
9-04-03	APPLICATIONS
9-04-04	BOND
9-04-05	SUPERVISION AND RESPONSIBILITY
9-04-06	GENERAL SPECIFICATIONS
9-04-07	STANDARD SPECIFICATIONS FOR EXCAVATIONS
9-04-08	PENALTIES

Section 9-04-01DECLARATION OF POLICY AND PURPOSE

The purpose of this Chapter is to provide certain minimum standards and requirements to safeguard life or limb, health, property and public welfare by establishing general standards by which to regulate and govern the excavation, cutting, ditching, digging, trenching or tunneling in, upon or under any street, alley, sidewalk or other public rights-of-way or public improvements within the corporate limits of the City, or by which to regulate and govern the obstruction, disturbance or interference with the surfaces or subsurfaces of any street, alley, sidewalk, or public rights-of-way or public improvements within the corporate limits of the City.

Section 9-04-02PERMIT REQUIRED

It shall be unlawful for any person to excavate, cut, ditch, dig, trench or tunnel in, upon or under any street, alley, sidewalk or other public rights-of-way or public improvements, or in any way obstruct, disturb or interfere with the surfaces or subsurfaces of any street, alley, sidewalk or public rights-of-way or public improvements within the corporate limits of the City without first having obtained a permit as is herein required.

Section 9-04-03APPLICATIONS

Applications for such permits shall be made in writing to the Superintendent of Streets, and each application shall describe the kind of work to be done, the location of the intended excavation, cutting, ditching, digging, trenching or tunneling, the size thereof, the purpose therefor, the time when such work shall begin, the time when such work shall be completed, and the person doing the actual excavating work and the name of the person for whom the work is being done. Each permit issued shall contain the foregoing information together with an agreement that the applicant will comply with all the provisions of this Chapter, all other laws relating to the work to be done and will not violate the terms and conditions of such permit. The terms and conditions of such permit and the work authorized to be done shall not be altered or varied without the prior written approval of the Superintendent of Streets.

Section 9-04-04BOND

No permit shall be issued unless and until the applicant therefor has filed with the Superintendent of Streets the following:

- A. A surety bond issued by an insurance company authorized to do business in the State of Idaho,

Boise Municipal Code

conditioned to insure the proper restoration of the surface and subsurface of any street, alley, sidewalk or other public rights-of-way or public improvements and to indemnify the City for any expense for restoring the surface and subsurface of any street, alley, sidewalk, or other public rights-of-way or public improvements; provided, in the discretion of the Superintendent of Streets, in lieu of said bond a cash deposit may be made in a sum of money sufficient to cover the cost of repairing or restoring the surface and subsurface of any street, alley, sidewalk or other public rights-of-way or public improvements; and all bonds shall be kept and maintained in force and effect for at least one year in amounts determined by the Superintendent of Streets in accordance with the scope of the work contemplated; and

- B. A public liability insurance policy, or a certificate of liability insurance providing limits for property damage and personal injuries in amounts determined adequate by the Superintendent of Streets in accordance with the scope of the work contemplated, insuring the City and by which to indemnify and save and hold harmless the City from any and all claims, demands, actions, and damages which may arise on account of injuries to persons or properties caused by or related to the work authorized to be done pursuant to a permit.

Section 9-04-05 SUPERVISION AND RESPONSIBILITY

The Superintendent of Streets shall from time to time inspect or cause to be inspected all excavations, cuts, ditches, trenches or tunnels made in, upon or under any street, alley, sidewalk or other public rights-of-way or public improvements in order to ascertain compliance with the provisions of this Chapter and the permit granted hereunder. The Superintendent of Streets is charged with the responsibility of supervision, inspection and enforcement of the provisions of this Chapter.

Section 9-04-06 GENERAL SPECIFICATIONS

The following general specifications will control ordinary conduct or procedure of all persons during work in, upon and under streets, alleys, sidewalks or other public rights-of-way or public improvements:

- A. All persons doing work in, upon or under any street, alley, sidewalk or other public rights-of-way shall use proper equipment and qualified help in the performance of the work authorized and permitted to be done.
- B. All trenches shall be worked eight (8) hours per working day until completed.
- C. Graveled roads, alleys and shoulders shall be left with a minimum of two inches (2") of three-quarter inch (3/4") maximum crushed gravel leveled to the existing grade.
- D. All utilities shall be laid in as straight a line as possible, parallel to adjacent property lines, so that future work in the right-of-way will not endanger any utility.
- E. All work being done in the public right-of-way shall be provided with proper signs, barricades, and lighting of the work at all times to provide safety for the traveling public, pedestrians and for protection of private property.
- F. Except when street closures are permitted under the provisions of this Chapter, all persons doing work in the public right-of-way shall keep all areas within the project clean for public travel and shall keep private property free of work debris. When the work is completed, any person doing

Boise Municipal Code

the work shall be responsible to clean the project limits to a condition as good or better than that prior to the work and to the satisfaction of the Superintendent of Streets or his representative.

- G. All persons doing work in, upon or under any street, alley, sidewalk or other public rights-of-way shall notify the Superintendent of Streets of their anticipated daily work schedule at the beginning of each day.
- H. No street, alley, sidewalk or other public rights-of-way shall be closed to public use by any person except by express permission of the Superintendent of Streets. The permittee shall at all times conduct its work to assure the least possible obstruction within the public right-of-way, and said work shall be protected by approved signs, barricades and lighting where necessary for the safety of the traveling public and private property. The failure of the Superintendent of Streets to notify such permittee to maintain good safety practices will not relieve said permittee of its responsibilities.
- I. The permittee shall notify the Superintendent of Streets, the Police Department and the Fire Department of the closure and reopening to public travel of any street, alley, sidewalk or other public rights-of-way.

Section 9-04-07STANDARD SPECIFICATIONS FOR EXCAVATIONS

The following standard specifications or requirements for excavations, cuts, ditches, trenches, or tunnels in, upon or under any street, alley, sidewalk or other public rights-of-way will govern all work to be done in, upon or under the traveled areas within such streets, alleys, sidewalks or other public rights-of-way. The term "traveled areas" means both paved and graveled surfaces, including shoulders and driveways.

- A. Trenches shall be wide enough to carry on the work in a safe, workmanlike manner and of a width adequate to provide proper compaction. Space shall be provided to permit mechanical tamping on each side of the pipes or conduits that are greater than four inches (4") O.D.
- B. All paving, whether concrete or bituminous surfaces, in the public right-of-way shall be cut in neat, straight lines with either a pavement cutter or a wheel attached to a motor grader. Hydra-hammer cuts will not be permitted. Equipment with cleated tracks, grouser or tire chains will be permitted only in unpaved areas. Backhoe stabilizers must be equipped with rubber pads when being used on paved areas.
- C. Minimum depth for any utility shall be thirty inches (30") of coverage except on primary highways which shall be thirty six inches (36") or as required by the authority having jurisdiction over such primary highway.
- D. Boring, following customary and accepted practices, will be allowed if the bore diameter is not more than two inches (2") greater than the pipe or conduit to be installed.
- E. Excavated materials that have poor compaction characteristics and/or any broken paving or concrete or chunks of frozen ground shall not be placed in the trench as backfill material.
- F. Tunneling will be permitted in the manner as prescribed and authorized by the Superintendent of Streets. In the event that the back of the tunnel should cave before backfill is completed, the surface shall be removed and the tunnel backfilled as an open trench.

Boise Municipal Code

- G. Plow installation of direct burial cable will be allowed only by written permission of the Superintendent of Streets or his representative.
- H. Where additional backfill materials are required, all trenches and cuts shall be backfilled with clean, well-graded, pit-run gravel, or with crushed gravel. Crushed gravel shall meet the requirements of Section 401-04 of the Idaho Department of Highways Specifications for three-quarter inch (3/4") maximum size. There shall be a minimum of eight inches (8") of crushed gravel below the lower surface of the pavement patch.
- I. All backfill material within paved or traveled areas shall be backfilled to ninety-five percent (95%) of maximum density as determined by the Standard Proctor Method, American Association of Highway Officials, Specification T-99. Additional water shall be added to backfill material if necessary to obtain the maximum compaction.
- J. Backfill shall be placed and properly compacted. A lift of not to exceed ten inches (10") will be allowed for compaction by pogo stick or wacker type equipment. A lift of not to exceed twenty-four inches (24") will be allowed for hydra-hammer type equipment. Hydra-hammer equipment shall not be used in areas where vibration will cause damage to other underground utilities.
- K. All backfill is to be compacted to the full depth of the trench and then excavated to the proper depth for patching unless patching is performed immediately behind compaction and on the same day of backfilling.
- L. In gravel right-of-way, existing gravel may be reused with the permission of the Superintendent of Streets or his representative if the gravel is kept free of dirt and debris.
- M. Water settling of backfill in trenches under traveled way of arterial streets or in other locations where immediate restoration of traffic is necessary will be allowed only by written permission of the Superintendent of Streets. Where utilized, procedures for water settling shall be consistent with recognized construction practice for the materials and conditions involved.
- N. Prior to replacement of pavement over trenches, edges of the existing pavement shall be trimmed to uniform straight lines and all edges shall be uniformly supported on firm base material, and shall be sufficiently clean to assure proper bond of prime coat. The patch shall be neither unsightly nor higher nor lower than the surrounding pavement.
- O. A prime coat of tack oil shall be applied to the edges and to prepared trench surface as well as approximately three inches (3") back on the existing paving. All bonding edges shall be kept clean for maximum bonding and thoroughly wetted by the tack oil. The prime oil may consist of SS-1 emulsion oil diluted with an equal quantity of water and applied at the rate of 0.10 gallon per square yard.
- P. Trenches shall be patched with hot asphaltic concrete when air temperature is above sixty degrees Fahrenheit (60°F). Cold patches in all high type paving shall be removed and replaced with hot asphaltic concrete. Cold mix patches that have been placed in the streets, alleys, sidewalks or other public rights-of-way with armor coated or road mixed paving, if inspection proves them to be good, will not need to be replaced if they are seal coated following recognized seal coating practices. All patches placed in all designated arterial streets shall be a minimum of three inches (3") in depth. All other patches shall be a minimum of two inches (2") in depth. Paving with concrete base existing shall be replaced in kind unless otherwise directed by the Superintendent of Streets. Concrete shall be five

Boise Municipal Code

(5) bag mix.

- Q. Trenches may be patched with hot asphaltic concrete in cold weather provided the trenches are heated with the proper type equipment and the proper means taken to keep the mix hot before being placed and applied.
- R. All asphalt patches shall be free of water leakage.
- S. Temporary surfacing acceptable to the Superintendent of Streets or his representative shall be placed the same day as backfill in those locations where directed. Such temporary surfacing shall be maintained until the permanent patch is placed.
- T. All trenches shall be patched within ten (10) days after backfill, weather permitting, unless otherwise authorized by the Superintendent of Streets or his representative. (Ord. 2849, 6-10-68)

Section 9-04-08PENALTIES

Any person, firm, partnership, corporation, association or combination or group thereof who violates any provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine not exceeding three hundred dollars (\$300.00) or imprisonment in the City Jail of not more than thirty (30) days, or by both such fine and imprisonment. (Ord. 3220, 7-26-71)