

ORIDINANCE NO. 101

STREET OPENINGS

An Act in Relation to Permits for Opening of roads in the Village of Island Park, other than County Roads

WHEREAS, the Board of Trustees have determined that it is necessary for the proper maintenance of roads, in view of sewers now coming into said Village to require a permit for an opening or roads on terms that will assure the restoration of such roads to a good and sage condition for travel thereon and use thereof, the following 5 proposed:

Section 1

That no person, association, water company, gas company, telephone company, electric light company or other utility company shall be allowed to open or dig up any road or in any way alter curbing, gutter, basins, drainage lines or other works of the village or county for any purpose, without a written permit duly issued by the person or department duly authorized by the village to issue such permit.

Section 2

That each application for a permit before the issue6Tirmit shall pay to the said Village of Island Park for such permit as follows:

A fee for permit and inspection \$15.00 for an opening up to 25', \$20.00 for an opening 26' to and including 100' and \$5.00 additional for each 100'.

Section 3

Openings required for installation of distribution mains and sewers shall be made only under a special permit granted on application to the person or department authorized to issue the same, upon such conditions and under such guarantees as may be fixed from time to time by the Board of Trustees with respect to each such special permit.

Section 4 No Tunneling

No tunneling under any of the road surfaces as shall be permitted either at a straight opening crossing pavement or in opening any longitudinal trenches shall any so-called buttresses with tunnels underneath be developed. The entire depth, length and width of trench shall be opened.

In cutting the concrete pavement all reinforcement shall be cut along the center line of the trench and bent back over the edge of the remaining pavement. After the backfill has been replaced as provided in Section 7, the enforcing material shall then be bent back as near to its original position as possible, after which temporary pavement shall be placed by methods acceptable to the Village Department of Public Works.

Section 5 Longitudinal Trenches

Where underground works of any character are to be installed longitudinally with the road either within the line of the pavement or outside of such lines the cut shall be for the full width and continuous throughout as provided in section 7. In all cases where the nature of the sub-soil can be determined or where it is clearly indicated as the work progresses, the person making the opening shall provide necessary protection as follows:

Where sandy conditions are found, necessary sheeting shall be driven and shall only be withdrawn after proper replacement of fill, as specified in section 7. If, in the opinion of the Village Department of Public works, it is necessary to leave the sheeting in place in order to protect the balance of the pavement, this shall be done at the cost of the party making the opening.

Section 6 Trenches in Earth Shoulders

Wherever works are to be installed within earth shoulders, the bottom of the trench nearest the edge of the pavement shall not be closer than three (3') feet therefrom and shall be at a greater distance if the nature of the sub-soil indicates that the natural angle of repose will make it necessary. In case there is insufficient distance between the edge of the pavement and others public works, such as gutters, curbing, etc., tight sheeting shall be used and driven in such mariner as to not impair any of the adjoining work. In all cases, the party opening these highways shall take all due precautions to learn the location of any other public or private works, such as drains, sewers, water lines, etc.,

which may be affected by such opening and shall repair or cause to be repaired at their own expense any works either public or private in any way affected.

Section 7 Replacement of Backfill

The trench shall be carefully refilled as soon as possible after the works are installed and with such excavated material and in a manner as hereinafter provided. The material within one (1') foot over the top of the work shall be placed in layers of six (6") inches and thoroughly rammed. There shall be three (3) times as many men ramming as shoveling and the ramming tool shall be twenty—five (25) to thirty—six (36) square inches square area and shall weigh not less than twenty (20) pounds. Mechanical rammers of equal efficiency may be employed.

In case the backfill consists of practically all sand, water may be used for settling. In this even fifty (50%) per cent of the total depth of the backfill shall be made, followed by a thorough saturation with water, after which the balance of the backfill shall be made and the same treatment given it. In all cases, the party making these openings shall preserve in good condition all surface material which is to be replaced on the surface of the excavated area and shall be laid to grade. In case any of this material is lost, wasted or for any reason sufficient material is not available due to the excavations or otherwise, the party making the openings shall cause the same to be furnished and placed to the satisfaction of the Village Department of Public Works. After the backfill has been properly made and to the satisfaction of the Department of Public Works the party holding the permit shall cause temporary pavement to be placed over the opening area and any adjoining pavement which may be disturbed because thereof. After sufficient time has elapsed for a proper settlement of the backfill, the temporary pavement shall be removed and permanent pavement installed in accordance with the following Sections.

Section 8 Replacement of Pavement. Bituminous Pavement

In the replacement of bituminous pavement, all temporary pavement or backfill shall be removed and the adjoining bituminous pavement, if any, shall be removed to a width of one (1') foot on each side of the trench where such trench is not deeper than three (3') feet. In case the trench is of greater depth, the surrounding pavement to a width of two (2') feet on all sides shall be removed. In either case, if the space between the edge of pavement as removed and the outer edge of remaining pavement either against earth shoulders, concrete, gutters, headers, or otherwise is of a lesser width than on (1') foot it

shall also be removed. The sub-surface shall then be thoroughly stamped, or rolled with a ten (10) ton roller sufficiently to bring said sub-surface to a safe and solid condition to receive and carry new foundation.

CONCRETE BASE

After the trench has been prepared as specified in the foregoing paragraph, a 1: 2: 2: 1/2 mix, gravel or broken stone concrete base shall be laid, with which shall be installed 5/8" reinforcing bars spaced twelve (12") inch centers and two (2") inches above the bottom of the concrete base. This base shall be six (6") inches in thickness and shall be so laid to permit the placing thereon of a bituminous pavement two (2") inches thick, the surface of which shall conform to a true grade with the surrounding pavement. All bituminous pavement replacements shall be finished in a workman like manner and shall conform as nearly as possible to grade and finish of the surrounding pavement.

CONCRETE PAVEMENT

When cuts have been made and trenches opened through concrete pavements, this pavement shall be cut on (1') foot back of the remaining top of slab on all sides and where trenches are not more than three (3') in depth.

Where trenches are of greater depth, the pavement shall be cut back a distance of two (2') feet on all sides and the reinforcing material preserved as far as possible. If, in laying out such cutting of edges, the lines of cutting are closer than five (5') feet from the edge of the original slab, either longitudinally or transversely, the entire area of remaining concrete shall be removed and replacement made over the entire area disturbed.

In the trench as prepared in accordance with the above specification, reinforced concrete pavement shall be laid in accordance with the specifications as adopted by the Village, that is, 1: 1 1/2:3 mix with a proper grading of broken stone, the depth shall be seven (7") inches throughout except for the area over trenches and two (2') feet in addition thereto where the pavement shall be eight (8") inches above the bottom of the pavement which reinforcement shall consist of 5/8" rods space one (1') foot apart in both directions. The person making such replacements shall use methods to obtain early strength concrete either by using cement especially made for that purpose or by the use of calcium chloride Acqua-Pruf or equal material to produce early strength concrete.

Section 9 Curing

The area of the pavement shall be thoroughly barricaded and lighted for a period of not less than twenty four (24) hours.

Section 10 Replacement by Village

The Village reserves the right to replace any or all cuts or to alter any replacements which may have been performed by or for the party holding the permit. After said restoration is made, the permittee shall pay the costs, thereof, to the Village of Island Park.

Section 11

Any person, firm, or corporation which has a franchise to occupy all the highways of the Village of Island Park shall be exempted from the cutback provisions of this ordinance in respect to bituminous and concrete pavement, provided that, in lieu thereof, such persons, firm or corporation, shall keep on file with the Village a bond in the sum of \$100,000.00 to \$200,000.00 to guarantee the proper restoration of the pavement wherever the necessity for such restoration is due to the act of such person, firm, or corporation

Section 12

Each application for a permit to alter or disturb the grade of any street, highway or public place, shall be in writing on a blank form provided by the Village containing the required information, accompanied by a fee of \$5.00 therefor and also an agreement on the part of the applicant to hold harmless the Village of Island Park for the costs and replacement and repair in the event the applicant fails to restore as provided in said ordinance, and also an agreement to indemnify the said Village against any and all claims or actions for personal property damage and for bodily harm arising out of or by reason of negligence on the part of the said applicant in connection with the aforementioned work or replacement. No permit to alter or disturb the grade of any street, highway or public place or dig up or excavate any such street, highway or public place shall be issued unless prior thereto the person, or persons, firm, association or corporation applying for such permit shall execute and file with the superintendent of Buildings, one bond and one insurance policy as follows:

A surety company bond in the sum of \$2,000.00 to assure the said incorporated village that such street, highway or public place or surface of or pavement on any street, highway or public place will be replaced in the same condition that it was at the time such permit was issued, namely, be made reasonably safe for travel or other public use, and an insurance policy in the sum of \$100,000-\$200,000 indemnifying and saving harmless the Incorporated Village of Island Park for any and all liability for bodily injury or otherwise which may result from any such disturbance, change or alteration of grade or excavation by the applicant of any portion of such street, highway or public place. Each such bond or policy shall be in the name of the Incorporated Village of Island Park as the assured.

In the event of the failure of the applicant to restore properly any earth or pavement disturbed by him or it within three days after notice by mail to such applicant by the superintendent, said earth and pavement may be restored by the Village of Island Park, and the cost thereof charged against such applicant and insurance aforesaid.

Section 13 Penalty for Violation

That any person who shall willfully violate or neglect or refuse to comply with any provision or requirement of this act or any regulation, order or special direction to be made thereunder, may be prosecuted under applicable laws and shall be liable to the Village of Island Park for any and all damages that may accrue to the said Village.

Section 14

No restoration of any opening shall be made until notice in writing therefor has been given to the Department of Public works of the Incorporated Village of Island Park or to such person or department as may be designated to make inspection of such restoration while the same is being made.

Section 15

That all former acts or resolutions insofar as inconsistent with this Act are hereby repealed and rescinded insofar as Road Openings are concerned.

NOTE: Ordinance No. 101 repealed September 5, 1957 and the above new ordinance NO. 101 enacted on November 26, 1952.