

APPLICATION TO EXCAVATE IN PUBLIC RIGHT-OF-WAY

DATE:

APPLICANT NAME:

ADDRESS:

CONTACT NUMBER:

EMAIL:



CONTRACTOR INFORMATION:

CONTRACTOR NAME:

LOCATION / ADDRESS:

CONTACT PERSON:

CONTACT NUMBER:

PROPOSED WORK:

ESTIMATED START DATE: ESTIMATED COMPLETION DATE:

LOCATION / ADDRESS:

PURPOSE OF WORK:

- REPAIR REPLACE CABLE
 INSTALL CUT OFF TELECOMMUNICATIONS OTHER

DESCRIBE:

I HAVE READ AND REVIEWED THE ATTACHED ORDINANCE # 2018-6 DATE:

SIGNATURE: _____

Permit Fees payable to: Town of Osgood
147 West Ripley Street
Osgood, IN 47037

FOR OFFICE USE ONLY:

DATE RECEIVED:

PERMIT NUMBER:

FEES COLLECTED:

PERMIT APPROVED BY: APPROVED DENIED

STEVE WILHOIT GAS / STREET SUPERINTENDENT

TONY WOOD WATER / SEWER SUPERINTENDENT

ORDINANCE NO. 2018-6

AN ORDINANCE ESTABLISHING CUT PERMITS FOR PUBLIC WAY AND RESTORATION OF PUBLIC WAY

WHEREAS, the Town of Osgood, Indiana, has determined that it is in the best interest of the town to adopt an ordinance to provide for the method and manner of construction, repair, replacement, of utilities and driveways within the streets or street ROW's of the town and provide for the method and manner of allocating the cost there of:

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF OSGOOD, INDIANA, TITLE IX, CHAPTER 94, OF THE TOWN OF OSGOOD, INDIANA CODE OF ORDINANCES, IS ESTABLISHED AS FOLLOWS:

94.01 GENERAL PROVISIONS.

It shall be unlawful to occupy areas along, under, upon, and across the streets, highways, or other public property within the Town of Osgood, Indiana, without having first fully complied with the provisions of this subchapter.

94.02 NEW INSTALLATIONS.

No person or entity, including a public or private utility, may install or maintain any cable, wire, conduits, or other attachments or equipment over, on or under any such location, unless and until a permit for such installation shall have first been obtained from the Town. Applications for such permits shall be made by e-mail to the Town Clerk-Treasurer, and shall state the name of the applicant, the location, nature, size and purpose of the proposed installation. Each such application shall be accompanied by plans and specifications showing the exact location involved, exact dimensions, depth of installation, exact distance from the main portion of any traveled highway, sidewalk, or other right-of-way, the method of installation contemplated, and the nature of the proposed equipment. Each such application shall be referred to the Town Street Superintendent or other person designated by the Town Council, to determine whether the work contemplated complies with the ordinances of the Town and whether it would involve or cause damage to Town property. No such permit shall be issued unless it appears that no such damage will ensue. If such permit is granted, an as-built set of plans to scale shall be furnished by the applicant to the Town. The Town Council shall be authorized to grant permission to any public utility to install any such cable, wire, conduits, or other equipment within a public right-of-way on an emergency basis, conditioned upon such public utility thereafter complying with the provisions of this subchapter, including submission of plans and specifications and payment of permit fees as required herein. All installations shall be in compliance with the National Electric Safety Code.

94.03 PERMIT FEES.

There shall be a permit fee paid to the Town for each such permit as follows:

- (A) Road excavations/cuts: \$500 per cut.
- (B) Borings under streets: \$150 per bore.
- (C) Trenching/excavating adjacent to roadway but within right-of-way: \$150.
- (D) Sidewalk and alley cuts: \$150.
- (E) Borings within right-of-way but adjacent to roadway: \$0.20 per lineal foot with \$150 minimum.
- (F) Drops or service wires: No permit or fee required for service wires from structure to residence, unless road excavation or bore is required.
- (G) Setting individual above-ground structures (other than poles) including pedestals, splicer box, junction box, and transformers: \$150.

94.04 BOND.

No such permit shall be issued unless the applicant has also filed with the Town Clerk-Treasurer a bond with a lawful corporate surety or an indemnity insurance policy, in the sum of not less than \$50,000 conditioned to indemnify and hold the Town harmless against any and all claims or injury or damage to persons or property resulting from the performance of work contemplated or any act done pursuant thereto, or against any loss or liability resulting from the maintenance of any such cable, wire, conduit or other attachments or equipment so installed. Such bond shall be a continuing blanket bond for a period of five years computed from the time the work is completed. However, the Town Street Superintendent shall have discretion of requiring a specific larger bond for larger projects on a per project basis.

94.05 RESTORATION OF SURFACE.

Any applicants granted such permit shall replace the portion of any such area so excavated in its original condition, and backfill any trench or opening by thoroughly tamping the backfilling in layers acceptable to the Town Street Superintendent, and to maintain the surface which has been disturbed in a smooth and uniform condition for a period of one year after the work is completed. All underground cables, wires, conduits, or other attachments or equipment shall be buried no less than 12 inches, unless prior written permission is granted by the Town Street Superintendent. All applicants granted such permit shall also comply with all other provisions of this code pertaining to street, alley, and sidewalk excavations.

94.06 FEES COLLECTED.

All fees collected shall be credited to the Sidewalk Maintenance Fund.

94.07 TIME LIMIT.

Each permit to install equipment granted under the provisions of this subchapter shall expire within one year from the time of issuance and no such permit shall authorize any work to be done after such time, unless expressly granted by the Osgood Town Council.

94.08 SUPERVISION.

The Town Street Superintendent, or other person designated by the Osgood Town Council, may supervise any construction or installation work performed subject to the provisions of this subchapter and may make such inspections as may be necessary to insure compliance with this code in connection therewith.

Primarily adopted by the Town Board of Osgood, Indiana, this ____ day of _____, 2018; and finally adopted the ____ day of _____, 2018.

Ayes: _____

Nays: _____

Whole number of Board Members being three (3).

Norman Kappes, President

Holley Rose

David Bultman

Attest:

Tamara Wilhoit, Clerk-Treasurer

TOWN OF OSGOOD CUT PERMIT FEE SCHEDULE

ROAD EXCAVATIONS/CUTS: \$500 PER CUT

BORINGS UNDER STREETS: \$150 PER BORE

TRENCHING/EXCAVATING ADJACENT TO ROADWAY BUT WITHIN RIGHT-OF- WAY: \$150

SIDEWALK AND ALLEY CUTS: \$150

BORINGS WITHIN RIGHT-OF-WAY BUT ADJACENT TO ROADWAY: \$0.20 PER LINEAL FOOT WITH \$150 MINIMUM

DROPS OR SERVICE WIRES: NO PERMIT OR FEE REQUIRED FOR SERVICE WIRES FROM STRUCTURE TO RESIDENCE, UNLESS ROAD EXCAVATION OR BORE IS REQUIRED

SETTING INDIVIDUAL ABOVE-GROUND STRUCTURES (OTHER THAN POOLS) INCLUDING PEDESTALS, SPLICER BOX, JUNCTION BOX AND TRANSFORMERS: \$150