

STREET OPENING AND PIPE CONNECTION POLICIES

FOR

CITY OF FALL RIVER, MASSACHUSETTS

DEPARTMENT OF COMMUNITY SERVICES

FALL RIVER PLANNING DEPARTMENT

ENGINEERING DIVISION

January 16, 2009

Anyone wishing to perform work within or beneath the City of Fall River streets, easements, sidewalks, right-of-ways or layouts, or wishing to connect to any City drain, common sewer or water main, must retain the services of a contractor licensed to do such work by the City of Fall River. Permits for construction will be issued only to those individuals and firms who meet the requirements of the City as enumerated within this application package.

All licensed contractors must adhere to the specifications contained herein when performing work as a licensed drainlayer. All excavations are further regulated by Chapter 66 of the Revised Ordinances of the City of Fall River, Massachusetts, most recent edition and amendments. A copy of the ordinance is available from the Engineering Division.

In addition to street opening and utility permits, trench permits in accordance with Massachusetts General Law, Chapter 82A are now required prior to the creation of a trench made for a construction-related purpose on public or private land or rights-of-way. Information on trench permits is included within these policies.

City of Fall River
Planning Department - Engineering Division
Street Opening, Sewer Connection and Curb Cut Policies

1.0 Licensing Requirements

- 1.1 Only drainlayers licensed by or contractors working directly for the City of Fall River are allowed to work within the limits of city streets, sidewalks, easement, layouts, or right-of ways, or to make connections to municipal storm drains, sewers or water lines.
- 1.2 All drainlayer applicants must submit a bond in the amount of \$50,000.00 to assure faithful performance of all work and to indemnify the city against any loss or damage from negligence or defective work.
- 1.3 Each applicant shall provide the city with an acceptable certificate of insurance indicating that he is insured against claims for damages for personal injury as well as against claims for property damage which may arise from or out of the performance of the work, whether such performance is by himself, his subcontractor, or anyone directly or indirectly employed by him.
- 1.4 Insurance coverage shall cover, among other things, collapse, explosive hazards, and underground work by equipment on the street, and shall include protection against liability arising from completed operations. The amount of the insurance for liability shall be not less than \$100,000.00 for each person and \$300,000.00 for each accident, and the amount for property damages shall be not less than \$50,000.00 with an aggregate of \$100,000.00 for all accidents. Public utilities and authorities may be relieved of the obligation of submitting such a certificate if they are insured in accordance with the requirements of this article. An acceptable certificate of insurance shall be filed with the required bond.
- 1.5 Applications for a drainlayers license shall first be submitted to the City Engineer who will forward such application to the City Council with a recommendation for approval or disapproval.
- 1.6 Each license shall be granted for one year from May 1 until April 30 of the following year, and the required bond and certificate of insurance shall be co-terminus with the license. Such license may be suspended for cause by the sewer commission or City Engineer, which shall report the suspension to the City Council at its next meeting.
- 1.7 Every corporation shall submit with its application a copy of its current annual certificate of condition and a copy of any subsequent certificate of change of corporate officers on file with the secretary of state as required by M.G.L. c. 156, §§ 24 and 47.
- 1.8 The application fee for a drainlayers license is \$250.00.

2.0 Street Opening Permit Policies

- 2.1 A Street Opening Permit is required for all street and sidewalk openings, sewer/drain/water connections, or repairs. This permit must be obtained prior to commencement of work, except as allowed under paragraph 2.5. Any violation of this ordinance is subject to a \$300.00 fine per violation.
- 2.2 Street Opening Permits are obtained from the office of the City Engineer. Water tie-ins must be coordinated with the Fall River Water Department and Sewer Permits must be coordinated with the Fall River Sewer Commission.
- 2.3 Electric/Telephone/Cable Companies will submit a permit list weekly for pole relocations/installations.
- 2.4 No drainlayer or contractor licensed by the City of Fall River shall allow his license to be utilized by another contractor not licensed by the City of Fall River. Permits are not transferable from one person or contractor to another, and the work authorized under a permit shall not be made in any place other than the location specifically designated in the permit.
- 2.5 “EMERGENCY WORK”: A street opening is allowed without a permit when emergency circumstances demand the work to be done immediately, provided that a permit could not have been reasonably and practically obtained beforehand. In such cases, a permit must be obtained on the first business day on which the office of the City Engineer is open. The permit shall be retroactive to the date the work was done, provided that the City Engineer declares that an emergency did exist on the date work was initiated.
- 2.6 Work authorized by a permit issued under the provisions of this article shall only be performed between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday, unless written consent is obtained from the City Engineer to do the work at an earlier or later hour. Such permission shall be granted only in case of an emergency.
- 2.7 All work and materials shall comply with all pertinent City Ordinances and the 1995 Standard Specifications for Highways and Bridges (“SSHB”) of the Massachusetts Highway Department.
- 2.8 The drainlayer (contractor) is responsible for providing a safe working environment for his workers, inspectors and the public and shall comply with all city, state and federal safety regulations.
- 2.9 The following fees apply for work requiring a permit:

Street Opening/Connection/Repair Permits:	\$250.00
Curb Removal/Driveway Opening Permits:	\$125.00
Trench Permits:	\$150.00

(plus deposit of \$25.00 per foot of curbing removed, to be refunded after the curbing is delivered to the Fall River DPW).

- 2.10 In some cases, additional permits and policies beyond those required for a traditional street opening or curb cut permit will apply. A list of these instances and the associated sections of these policies is noted below.

Sewer Extension Permit	Paragraph 3.9
Controlled Density Fill Requirement	Paragraphs 5.2 through 5.5
Streets Less Than Five Years Old	Paragraphs 5.0 through 5.17
Driveways Over 16 Feet in Width	Paragraph 4.6

3.0 General Requirements

- 3.1 In no case shall any opening in or under the surface of any street be considered to be in the charge or care of the city or any of its officers or employees, and no officer or employee is authorized in any way to take or assume any jurisdiction over any such opening, except in the exercise of the police power, when it is necessary to protect life and property.
- 3.2 All excavations are to be either backfilled or covered by traffic-rated steel plates at the conclusion of each day's work. No excavations are to remain open overnight.
- 3.3 Prior to beginning any work, the Police Department must be contacted for the purpose of obtaining a traffic control officer. The fee and coordination of this work shall be the responsibility of the drainlayer, who shall be invoiced directly by the Police Department.
- 3.4 When the City's Chief of Police authorizes a road closing or lane restriction, the Drainlayer shall provide and setup the required traffic control devices as specified in the Manual on Uniform Traffic Control Devices (MUTCD).
- 3.5 Inspector's Overtime: A charge, over and above the permit fee, will be assessed for any overtime an inspector is required to work. Whenever the City must place barrels on any job site for public safety, the contractor will be charged a minimum of \$25.00. Barrels must be returned to the Public Works Operational Center on Lewiston Street or there will be an additional charge for pickup of the barrels.
- 3.6 A plan showing all pertinent information and proposed work must be submitted at the time of permit application.
- 3.7 Work for which a permit has been issued shall commence within ten days after the issuance of the permit. If not so commenced, the permit shall be automatically terminated.
- 3.8 The contractor must call the Engineering Department 24 hours in advance of all work to schedule an inspection. A call must also be made every day that work continues on the job. The number to call is 508-324-2512. For emergencies only, a message can be left with the Public Works Operational Center. Their 24 hour numbers are 508-324-2762 or 508-324-2769.

- 3.9 Certain types of sewer connections and Sewer Main Extensions require a permit from the Massachusetts Department of Environmental Protection (DEP) under Chapter 7.00 of 314 CMR before a local permit may be issued. Issuance of a local permit without the required State Permit does not excuse the property owner from State Regulations. Policies and Regulations regarding sewer extensions may be obtained from the Fall River Sewer Commission, 3rd Floor, Government Center, Fall River, MA 02722, Telephone: 508-324-2320.
- 3.10 The contractor must give a copy of any Sewer/Drain Connection/Repair Permit, along with all pertinent plans, to the Fall River Sewer Commission on the date of issuance.
- 3.11 Before any drainlayer can be issued a permit for a sewer main extension, he must demonstrate that he has sufficient prior experience, knowledge and capability to perform the project to the satisfaction of the City Engineer.
- 3.12 No Building Permit shall be approved by the Engineering Department for construction on a street less than five years old unless permission for the street opening under Paragraph 5.1 has already been approved by the City Council.

4.0 Construction Standards

- 4.1 Sewer, water and drain pipe, pipe connections, backfill material, backfill compaction, base gravel and pavement patches shall be inspected by the City. The drainlayer shall be responsible for requesting inspections as necessary.
- 4.2 Backfill material deemed unsuitable by the City's Inspector shall be replaced with SSHB M1.03.0 Type c gravel borrow. Backfill material shall be placed in 6" lifts and compaction shall be 95% of the maximum dry density.
- 4.3 Temporary pavement patch shall be placed *on the Same Day* as the trench is completed and shall be left in place for a minimum of 30 days and maximum of 60 days before the permanent pavement patch is installed. A temporary pavement patch in roads and sidewalks shall be hot mix asphalt ("HMA"). Cold mix asphalt will be allowed as a temporary pavement patch if hot mix pavement is not available due to winter shutdowns. Temporary pavement patches shall be neat and maintained in good condition at all times.

- 4.4 A permanent pavement patch shall be cut back a minimum of twelve (12) inches on all sides of the utility trench and shall be squared off to the curb. Minimum pavement patch width shall be four (4) feet. A curb to curb pavement patch shall be required for all cuts beyond the centerline of the road. Any pavement patch that would have an edge four (4) feet or less from a curb, after the required twelve (12) inch cut back, must be extended to the curb. (See attached diagrams). All pavement patches shall be SSHB Section 460 Class I Bituminous Concrete Pavement, Type I-1. Pavement patch thickness shall be a minimum of four (4) inches. The pavement patch shall consist of one layer of two and one half (2 ½) inches thickness of binder course material and one layer of one and one half (1 ½) inches thickness of top course HMA in conformance with SSHB M3.11.00. Gravel used for bases below street pavement, driveways and sidewalks shall conform to SSHB M1.03.0 Type c gravel borrow (maximum stone size of two (2) inches). Street pavement patches shall have a gravel base a minimum thickness of twelve (12) inches.
- 4.5 Sidewalks and driveways shall have a gravel base a minimum thickness of eight (8) inches. Concrete sidewalks shall be a minimum of 4" (inches) and driveways shall be a minimum of 6" (inches). Cement Concrete shall be 4000 PSI, ¾" stone with air entrained content 7.0 ± 1%.
- 4.6 The City Engineer may grant permission for removal of curbing in order to provide for a driveway of not more than 16 feet in width on any lot. Any application for removal of curbing that will result in more than 16 feet in width on any lot shall be forwarded by the City Engineer first to the traffic commission and, if approved by the traffic commission, to the City Council. Such curbing shall not be removed without the required approval of both the traffic commission and the City Council. Before approving such application, the City Council shall hold a hearing and give notice of such hearing to all abutting property owners.
- 4.7 All gravity sewer mains & sewer services must be encased in ¾" stone for a minimum of 6" around pipe in all directions. The minimum diameter for any gravity service is six (6) inches and the minimum slope is 2%.
- 4.8 Every effort must be made to connect into existing "Y's", stubs, or chimneys. Watertight Sewer Saddles will be required in any case where a main has to be broken into.
- 4.9 Force Mains must be encased in sand for a minimum of twelve (12) inches around the pipe in all directions and must have safety tape placed on top of sand. The size of force mains shall be in accordance with the pump manufacturer's specifications and the approval of the Sewer Commission.
- 4.10 Any connection at a manhole that will be more than two (2) feet above the floor will require an Outside Drop Connection. Inside drop connections will be allowed if ledge or utility problems prohibit an outside drop connection (must be verified by an inspector).

- 4.11 When the infrared sealing of patches is required, the drainlayer shall comply with the City's Infrared Trench Patch Guidelines, Paragraphs 5.9 through 5.17.
 - 4.12 Copies of invoices pertaining to infrared and flowable fill shall be provided to the City.
 - 4.13 An "As-Built" plan or sketch showing all pertinent information must be delivered or mailed to The Engineering Department within 2 days of job completion. Failure to comply may result in loss of permit privileges and an inability to obtain a Certificate of Occupancy.
- 5.0 Trench Repair Criteria for Streets Less than Five Years Old and Certain Streets
- 5.1 No street opening permit shall be issued by the City Engineer which would allow an excavation or opening in a paved and improved street surface less than five years old unless permission is granted by a majority vote of the City Council.
 - 5.2 Controlled Density Fill (CDF) will be required on roadways less than five years old, any layouts identified as arterial or collector streets by the Highway Functional Classification System, at any site where the required compaction is not possible, or where the City Engineer may deem necessary. A list of streets effected by this policy is available at the Engineering Division.
 - 5.3 Controlled Density Fill (CDF) material is a flowable, self consolidating, rigid setting, low density material that can be substituted for compacted gravel in backfills. It shall be a mixture of portland cement, sand and water designed to provide a compressive strength of 30-80 PSI in 28 days and a maximum of 100 PSI in 90 days. CDF is to be batched at a ready mix plant and is to be used at a high slump (9"-12"). It shall be flowable and require no vibration. After it has been placed, it shall be capable of being excavated by hand tools and/or small machines. CDF is to be placed to a depth of 4" below finish grade of the roadway surface.
 - 5.4 All CDF trenches must be covered overnight with steel plates, which are anchored to prevent movement. Steel plate edges are to be feathered with cold mix. Plates may be left only one night, following which the permanent patch must be placed.
 - 5.5 Pavement patch over the CDF shall consist of one layer of two and one half (2½) inches thickness of Binder Course hot mixed asphalt and one layer of one and one half (1½) inches thickness of Top Course hot mixed asphalt.

- 5.6 In addition to Controlled Density Fill, all trenches in streets less than five years old are to use Infrared Patch for the permanent patch. Any person, business, governmental agency, or public service company performing infrared patching must be fully qualified and properly equipped in the opinion of the City Engineer to complete the work expeditiously and in a satisfactory manner. The City Council may require a mill and inlay patch instead of an infrared patch. The method will be determined at the time of approval by the City Council.
- 5.7 Copies of invoices pertaining to Infrared and Controlled Density Fill shall be provided to the city within 48 hours of completed work.
- 5.8 The permittee shall perform or cause to have performed infrared patching in the accordance with items 5.9 through 5.17.
- 5.9 Areas to be repaired shall be swept clean to remove all loose and foreign materials.
- 5.10 Heating is to be done with a manufactured power operated machine using infrared heat guaranteed not to damage asphalt. It shall be specifically designed to reprocess upper layers of bituminous pavement without excessive smoke.
- 5.11 An approved infrared heater shall be positioned over the area to be repaired for a period of time required to soften the surface course of the existing pavement to a depth of one and one half (1½) inches to two (2) inches. The area heated shall extend beyond the perimeter of the existing permanent trench patch a minimum of twelve (12) inches. Oxidation of the pavement, caused by excessive heat as determined by the City Engineer or his designee, shall be removed and replaced with new Top Course hot mix asphalt.
- 5.12 The heated area is to be scarified to loosen the existing patch. Approximately three (3) inches of heated perimeter patch shall be scarified and the remaining nine (9) inches left intact.
- 5.13 Any necessary additional bituminous concrete mix must be obtained from a suitable heated storage unit required to keep asphalt at or near constant temperature throughout the working day. Under no circumstances is any asphalt mix to be used that registers a temperature of less than 200 degrees F. Heated asphalt shall be added to the repair area and raked together with the surrounding infrared heated asphalt.
- 5.14 After the paving mixture has been properly admixed and raked to grade, compaction shall be obtained by use of a steel wheeled roller of at least two (2) tons to establish a uniform density comparable to that of the adjacent surface within the work area. Finished patch shall be level with no depression retaining water on any of its surface.
- 5.15 Edges of the finished area shall be sealed with a suitable asphalt emulsion, RS-1 or equal, around the perimeter of the newly repaired area.

- 5.16 A light coating of asphalt rejuvenating agent (Cationic Maltenes Emulsion) shall then be hand sprayed on the patched area and adjacent edges at the approximate rate of one tenth (0.1) gallon per square yard to seal the entire newly treated area. Sand shall be spread over the newly sealed area to prevent tracking.
- 5.17 Settlements or depressed areas in the infrared patch area exceeding one half (1/2) inch as determined by the City Engineer or his designee within three (3) years of the infra-red trench patch installation shall be repaired by the permittee. If the infrared patch fails in any other manner as determined by the City Engineer or his designee within three (3) years of the infrared trench patch installation, the permittee shall make required repairs. All repairs are to be made utilizing the infrared trench patch method. In the event that a permittee fails to make such repairs, the City of Fall River may make such repairs as are necessary, and the permittee shall pay the full cost of this work within thirty (30) days of billing.

6.0 Construction Guarantee

- 6.1 All work will be guaranteed for a period of 2 years from the date of acceptance of the permanent patch and issuance of the Certificate of Completion. The contractor will be responsible for repairing any failed patches during this time.
- 6.2 The city reserves the right to take core tests or any other tests it deems necessary. If work is found to be substandard or faulty, the contractor will pay for all tests. The contractor shall take all steps necessary to complete work in accordance with this policy.
- 6.3 In cases where the requirements of these policies, such as failure to provide proper patching or to remove plates after one day, the City will have the work done by a firm under contract to the City for this purpose. The City's cost for this work will be assessed to the drainlayer. No permits for any other work within the City of Fall River will be allowed until the fees are paid.

7.0 Trench Permits

- 7.1 The state has mandated that the City adopt a Trench Ordinance under General Law Chapter 82A, Excavation and Trench Safety. This law requires that all excavations in excess of 3 feet deep and that are 15 feet or less in width at the bottom must be secured. If left unattended, trenches must be either backfilled, covered with plates or fully enclosed with a six foot high barrier.
- 7.2 As a provision of this law, all excavators must obtain a trench permit prior to the creation of a trench on public or private land. This is separate from a street opening permit and applies to all work, both on public property and on private property. Therefore, a trench permit is required even if a street opening permit is not required. Information on this law is attached.

Notice of New Regulation

Excavation & Trench Safety Regulation 520 CMR 14.00

- This new PUBLIC SAFETY regulation is required by statute and is designed to prevent the general public from falling into an unattended trench and suffering an injury or fatality.
- Under the new regulation, a trench is defined as a subsurface excavation greater than 3' in depth, and is 15 feet or less between soil walls as measured from the bottom.
- All regulated trenches must be attended, covered, barricaded, or backfilled. Covers must be road plates at least ¾" thick or equivalent, barricades must be fences at least 6' high with no openings greater than 4" between vertical supports and all horizontal supports required to be located on the trench-side of the fencing.
- This applies to all construction-related trenches on public ways, public property, or private property.
- To ensure that all excavators are aware of and follow these new public safety regulations, a permit will be required prior to excavation of all regulated trenches.
- All excavators must obtain a trench permit for each trench site. The new trench permit will require information such as the name of excavator, the location of trench, a certificate of insurance, and the Dig Safe number.
- Under the regulation, municipalities must designate a permitting authority to issue the required permits for trenches on public ways or private property within the municipality. For state property, the relevant state authority will issue the permits.
- Municipalities may collect a reasonable fee to cover administrative costs of issuing permits.
- Permitting authorities are not required to conduct inspections of trenches for which they have issued permits. However, a permitting authority notified of a potential violation is authorized to take action, including an immediate shutdown, if violations of the new regulation are identified. Excavators may also be subject to administrative fines issued by the Department of Public Safety for violations.
- Municipal or state departments conducting excavations, such as a municipal water department or state highway authority, will be required to obtain a new trench permit.
- This new regulation in no way modifies or supersedes existing trench worker safety regulations. Workers in trenches must comply with the existing OSHA Excavation Standard, 29 CFR 1926, Subpart P. This new public safety regulation is entirely separate from and has no relationship to the existing trench worker safety standard.
- This is only a summary of the regulation. Please read the full regulation and obtain further information at www.mass.gov/dps or www.mass.gov/dos.