

## **CHAPTER 520: EXCAVATIONS**

### **SECTION 520.010: PERMIT APPLICATION, INSPECTION FEE, DEPOSIT REQUIRED**

No person shall make or cause to be made, or help, aid or assist therein, any excavation on any public street, highway, alley or other public place, or any public easement or right of way for the purpose of installing utility poles, underground electric or telephone cable, sewer or water lines or other underground utilities, without first having made application to the Village Clerk for a permit for such excavation and receiving from the Village Clerk a written permit therefore. Before such permit shall be granted, the applicant shall deposit with the Village Clerk such sum as in the judgment of the Village Clerk may be sufficient to restore the street, highway, alley or other public place, public easement or right of way, in as good condition as it was before the excavation was made, and in accordance with the conditions provided in this Chapter, and to pay a permit and inspection fee of fifteen dollars (\$15.00). The permit shall be signed by applicant and the Chairman of the Board of Trustees or designate, and shall state that applicant agrees to be liable for costs of restoration beyond the deposit amount, if necessary. The Excavation Permit shall be prominently displayed at the excavation site at all times. Emergency excavations deemed necessary for the protection of the public health or welfare may proceed without a permit but application shall be made within twenty-four (24) hours following said emergency excavation.

### **SECTION 520.020: REFUND OF DEPOSIT**

The deposit shall be returned to the depositor not later than six (6) months after the work is completed and the public place restored to its original condition and in accordance with the provisions of this Chapter; and if not so restored, the Chairman of the Board of Trustees or his/her designate, may cause the public place to be so restored and the deposit forfeited by the depositor. If the deposit is not sufficient to pay the entire costs thereof, the depositor shall be required to pay the balance thereof.

### **SECTION 520.030: SAFETY PRECAUTIONS**

Every person who shall cause to be made any excavation in or adjoining any public street, highway, alley or public place, or on any public easement or right of way shall cause the same to be adequately protected so as to prevent persons, animals or vehicles from falling into the excavation, and shall cause barricades and warning lights or facsimile to be maintained about such excavation, and keep the same lighted from sunset to sunrise. Whenever any person shall excavate the sidewalk of any street, it shall be

his/her duty to place a strong and suitable footbridge over such excavation in the line of the sidewalk at least four (4) feet wide, and securely anchored at each end.

**SECTION 520.040: GENERAL METHOD OF BACKFILLING AND RESURFACING**

A. Excavations in any surfaced street or alley, whether a permanent or temporary surfacing exists on the street or alley at the time the excavation is made, shall be cut in straight neat lines on all sides, and all materials removed from the excavation as made, and the remaining backfill shall be completed to the original surface with crushed limestone having a maximum size of one and one-half (1½) inch minus; and process of backfilling shall be inundated with water for a period of not less than ten (10) minutes or the backfill shall be compacted every six (6) inches with a vibratory compactor.

B. The resurfacing shall match the existing surface and be of comparable material and quality. It shall extend a minimum of one (1) foot on all sides of the excavated area. It shall meet the existing surface at the same elevation and along a neat and straight line.

**SECTION 520.050: VIOLATION--PENALTY**

Any person failing to properly display the Excavation Permit or who shall violate any provision of this Chapter shall be subject to a fine of up to five hundred dollars (\$500.00) and to imprisonment for up to ninety (90) days, or to both such fine and imprisonment, in addition to civil damages. Each day of such non-compliance is considered a separate violation.