

CITY OF NAPPANEE



Excavating In Right-of-Way Permit Application

Applicant Information

Applicant Name: _____ Company Name: _____
Contact Address: _____
Contact Email: _____ Contact Phone: _____
Applicant is: Under Contract to City Franchise Utility Plumber Contractor
 Property Owner Other If other, please specify: _____

Worksite Information

Worksite Location: _____
Start Date and Time: _____ End Date and Time: _____
Work to be completed for the purpose of: Gas Electric Internet Telecommunications
 Water Sewer Sidewalks Pavement Driveway
 Trees Other If other, please specify: _____
Excavating in: Grass Curb Sidewalk Road Other
Check all that apply
If other, please specify: _____
Type of work: Bore Open Cut Hydro-Vac Overhead Other
Check all that apply
If other, please specify: _____
Work to be completed by: Applicant Subcontractor **Use of subcontractor requires completion of additional page**
Restoration to be completed by: Applicant Subcontractor **Use of subcontractor requires completion of additional page**
Description of work to be completed: _____

Application Checklist

<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	Attach drawing(s) showing location of work (include addresses and street names) (Exhibit A)
<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	Attach traffic control plan(s), if applicable
<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	Read Ordinances 238 and 751 and agree to observe all requirements thereof (Exhibit A)
<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	List all subcontractors for project on additional subcontractor page provided
<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	Become licensed, bonded, and insured
<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	Final restoration to be completed within 30 days of work completion
<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	November thru March, asphalt restoration shall be cold patch or concrete until hot mix is available

Signature

Applicant Name: _____ Date: _____

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Additional Subcontractor Page

1. Subcontractor Information

Subcontractor Name: _____ Company Name: _____
Contact Address: _____
Contact Email: _____ Contact Phone: _____
Work to be completed by subcontractor: _____
Type of work to be completed: Bore Open Cut Hydro-Vac Overhead Restoration
Check all that apply If other, please specify: _____

2. Subcontractor Information

Subcontractor Name: _____ Company Name: _____
Contact Address: _____
Contact Email: _____ Contact Phone: _____
Work to be completed by subcontractor: _____
Type of work to be completed: Bore Open Cut Hydro-Vac Overhead Restoration
Check all that apply If other, please specify: _____

3. Subcontractor Information

Subcontractor Name: _____ Company Name: _____
Contact Address: _____
Contact Email: _____ Contact Phone: _____
Work to be completed by subcontractor: _____
Type of work to be completed: Bore Open Cut Hydro-Vac Overhead Restoration
Check all that apply If other, please specify: _____

4. Subcontractor Information

Subcontractor Name: _____ Company Name: _____
Contact Address: _____
Contact Email: _____ Contact Phone: _____
Work to be completed by subcontractor: _____
Type of work to be completed: Bore Open Cut Hydro-Vac Overhead Restoration
Check all that apply If other, please specify: _____

ORDINANCE NO. 238

AN ORDINANCE REGULATING THE DIGGING, CUTTING, OR EXCAVATING INTO OR UPON THE PUBLIC STREETS AND ALLEYS AND THE REPAIRING AND/OR ISNTALLING WATER, GAS, TELEPHONE, ELCTRICAL, OR SEWAGE LINES IN THE PUBLIC STREETS AND ALLEYS AND REPALING CERTAIN ORDINANCES AND PARTS OF ORDINANCES.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NAPPANEE, INDIANA:

SECTION I. Unauthorized Excavations – Unlawful. It shall be unlawful and a violation of this ordinance for any person, firm, or corporation to cause, allow, suffer, or permit any digging, cutting, or excavating into or upon any public street, alley, or public place or into or through any pavement thereon for any purpose whatsoever within the corporate limits of the City of Nappanee, Indiana, except in accordance with the provisions hereinafter provided.

SECTION II. Permit Required. No such excavation shall be made until a permit therefore shall be issued by the Board of Public Works and Safety through the Superintendent of the Department of Streets and Sanitation of said City. Provided however, that in the event of any emergency wherein the life or lives of citizens or their property is endangered or in jeopardy by reason of any unforeseen and violent breaking, leaking, or eruption of existing utility facilities, the repair of which necessitates immediate digging, cutting, or excavation by such franchise utility company, then and in that event the acquisition of such permits may be deferred until a reasonable time after such digging or excavation has been accomplished, but in any event, such permit shall be obtained prior to back filling; Provided however, that in the event that work or services is contracted for by the said Board of Public Works and Safety by the nature of which a performance and maintenance bond is submitted by such contractor, then and in that event, the terms and specifications of this ordinance shall be inapplicable to and for such work and services.

SECTION III. Filing Procedure for Repairs, Maintenance, or Connecting Existing Works. Any person, firm, or corporation desiring to make such opening or excavation for the purpose of repairing, maintaining, or tapping existing pipes, sewers, telephone cables and wires, or conduits, shall file with the Superintendent of the Department of Streets and Sanitation a petition for the same which shall state the location of the proposed opening and the purpose thereof, the date and hour for the commencement of the work, together with a bond payable to the said City in a sum of not less than One Hundred Dollars (\$100.00) and/or in such amount.

ORDINANCE NO. 751

AN ORDINANCE REGULATING THE CONSTRUCTION OF PRIVATE DRIVEWAYS, ALTERATIONS OR RECONSTRUCTION OF CURBS OR GUTTERS FOR PURPOSES OF CONSTRUCTION OR CREATION OF A PRIVATE DRIVEWAY AND REQUIRING THE POSTING OF BOND FOR SUCH CONSTRUCTION AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF.

WHEREAS the Civil City of Nappanee, Indiana, owns, operates, maintains, and otherwise exercises proprietary dominion of its streets, alleys and other public ways and including its sewers, drains, watercourses and other public improvements and installations, and

WHEREAS the City is empowered to grant or to withhold permission for the construction of private driveways affording vehicular access between public thoroughfares and private property and to regulate such constructions as may be in the best interests of its citizens, under certain terms and conditions, and

WHEREAS, it is the intention of the Civil City of Nappanee, Indiana, to control, regulate and administer the construction or reconstruction of private driveways and to ensure that such public streets, curbs, gutters, drains and other public improvements are not unnecessarily damaged, altered or suffered to remain thus damaged and unrepaired,

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NAPPANEE, INDIANA:

SECTION 1. For the purposes of this Ordinance, a driveway is defined as a private thoroughfare for vehicular travel affording access between a public thoroughfare, street, alley, or public ground and providing ingress to and egress from such private property.

SECTION 2. No person, firm, corporation, or other entity shall create or construct a driveway, nor cut or modify a curb, gutter, street, or any appurtenance thereto except in accordance with the provisions hereinafter provided.

PAGE TWO;

SECTION 3. Any person, firm, corporation or other entity desiring to create or construct a driveway shall first obtain a permit therefore issued by the Board of Public Works and Safety of the Civil City of Nappanee, Indiana, through its Superintendent of its Department of Streets and Sanitation; provided, however, that in the event of any emergency wherein the life or lives of citizens or their property is endangered or in jeopardy by reason or any unforeseen or violent breaking, leaking or eruption of existing utility facilities, the repair of which necessitates immediate digging, cutting or excavation, and in that event, the acquisition of such permit may be deferred until a reasonable time after such repairs or other construction activity has been accomplished, but in any event, such permit shall be obtained prior to completion of the work or prior to completion of backfilling, cementing or installation of other hard surface materials. Such person desiring to thus construct or create a driveway or otherwise construct, alter, or reconstruct a curb or gutter shall first submit written application therefore on forms provided by the City and including a sketch showing the location, width, thickness, slope of the proposed driveway and types of materials to be used in such construction.

SECTION 4. The Superintendent of the Street and Sanitation Department of the City shall review each such application and shall inspect the site of such proposed work and the Superintendent may, on behalf of the Board of Public Works and Safety of the said City, approve, disapprove, or approve as modified such application,

SECTION 5. The Board of Public Works and Safety may require an applicant granted permission to cut or modify any curb, gutter, or street for driveway purposes to post bond in such amount in cash or with such surety as may be approved by the Board in an amount not less than Seventy-five percent (75%) of the

PAGE THREE;

estimated cost but not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00). The Condition of the bond shall be that the work to be done is thus done and performed in conformity with the permit granted and that the principal shall properly repair any damage to the curb, gutter, street, or other appurtenance caused by or arising from the construction of such driveway within a time to be fixed by the Board.

Section 6. Any person, firm, or corporation who, in the construction of a driveway or for other deliberate purposes, damages, destroys or modifies any curb, gutter or street without prior written permission of the Board as herein-above related or who does so not in conformity with the permit granted by the Board shall pay to the City the cost of the repairs necessary to place the curb, gutter, street or other public grounds in as good condition as that which existed prior to such construction activity plus a service charge equal to twenty-five percent (25%) of such cost. Any person who constructs a driveway or who purposely cuts a curb or gutter without adherence to the provisions hereof shall be fined in a sum not less than Twenty Dollars (\$20.00) nor more than Two Hundred Dollars (\$200.00).

Section 7. This Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED AND ORDAINED BY THE COMMON COUNCIL OF THE CIVIL CITY OF NAPPANEE, INDIANA THIS 4TH DAY OF APRIL, 1979

Presented to me and approved by me this 9th day of April, 1979

John. L. Mellinger, Mayor