

ORDINANCE NO. 35

AN ORDINANCE PROVIDING FOR PROCEDURES AND REQUIREMENTS FOR APPROVAL OF EXCAVATIONS IN THE CITY OF CROOKS, SOUTH DAKOTA.

BE IT ORDAINED BY THE CITY OF CROOKS, SOUTH DAKOTA:

Section 1. No person shall make or cause to be made any excavation except as hereafter provided, in or under any street, sidewalk, alley, or public ground or remove any earth, soil, paving, gravel or materials therefrom without first having obtained approval from the City Council. Application for such approval shall state where such excavation is to be made, the extent thereof, and the purpose of such excavation.

Section 2. Upon prior completion of a written agreement between the City of Crooks and any utility company maintaining water and sewer, cable TV, telephone, electrical or other utility service in the City of Crooks, any emergency type excavations required for repair or replacement of such utilities shall be authorized at any time provided verbal notification of at least one (1) City Council member is made by the utility company ~~prior to or during such excavation.~~ All other requirements of this ordinance except where noted shall apply to emergency type excavations.

Section 3. Applications for excavations other than emergency situations may require a deposit in such sum as deemed necessary by the City Council to ensure the proper replacement and refilling of any such excavation or to cover the costs of any damages which may be caused by such excavation. Any required deposit shall be paid to the City of Crooks before approval of an application is made and any unused portion of said deposit shall be refunded to the applicant upon recommendation and approval of the City Council.

Section 4. Approval for any excavation covered by this ordinance shall be issued only upon the express condition that the applicant shall refill such excavation in accordance with the requirements of the City Council, and shall restore the pavement of surfacing, as the case may be, to its former condition. The City Council shall adopt and amend as necessary such requirements which shall set forth the manner in which various types of excavations shall be backfilled or refilled and the manner in which any street surfacing shall be replaced.

Section 5. It shall be the duty of the City Council to inspect all authorized excavation work at any stage of construction and to ensure compliance with this ordinance. If such backfilling, refilling or surfacing is not completed in accordance with approved requirements, notice thereof in writing shall be given to the applicant, who shall put the same in proper condition within a maximum of ten (10) days. If the applicant fails after such notice to complete all requirements, the City Council may authorize the necessary repairs and such applicant shall pay the costs thereof.

Section 6. Any person receiving approval to make excavations in or upon any street, alley, sidewalk or public ground shall, during the progress and continuance of the work, erect and maintain around the same both day and night suitable guards, fences, flares, and signals so as to prevent injury to persons, animals, or vehicles on account of such excavations. No open trench shall be left open for any more time than considered absolutely necessary or reasonable.

Section 7. All ordinances of the City of Crooks, which are contrary to or in conflict with this ordinance or any part thereof, are hereby expressly repealed.

Adopted this 10 day of March, 1983.

First Reading:

Second Reading:

Effective Date:

Feb 7, 1983

Mar 10, 1983

March 30, 1983

Vern C Erickson

Vern C. Erickson, Mayor

ATTEST:

Janet E. Anderson

Janet E. Anderson

Municipal Finance Officer

CITY OF CROOKS, SD
STREET EXCAVATION REQUIREMENTS

1. **Street Cuts:** The surface of all concrete and asphalt pavements over concrete base shall be cut to a minimum depth of one and one-half (1½") inches before pavement is removed. All asphalt surfaces with gravel base shall be cut with a cutting wheel, saw or pneumatic blade before surfacing is removed. All street surfacing cuts, asphalt or concrete, shall be in a straight line parallel to the existing curb and gutter or perpendicular to the centerline of the street. No jagged, skewed or irregular cuts will be allowed. All asphalt cuts shall be removed in an approved manner, and not ripped-out with the bucket as such work lifts the remaining mat away from the base material and shall require widening the street cut.
2. **Width:** The width of all pavements removed shall be twelve (12") inches wider than the trench excavation to provide a six (6") inch shoulder on each side.
3. **Backfill:** All excavations shall be backfilled to restore it to its natural compaction by means of approved pneumatic tamp or mechanical tamp. Backfill shall be tamped in not over eight (8") inch layers. In case Drop Hammer or Hydro-Hammer is used it may be compacted in three (3') foot lifts. Backfill regulations refer to the full right-of-way. If excavated material is not suitable for backfilling, excavated material shall be removed from the site and replaced with suitable earth, sand or gravel.
4. **Gravel Base:** On all excavations in streets with permanent surfacing there shall be provided a minimum of six (6") inches of gravel base before surfacing is restored.
5. **Asphalt:** Replacement of asphalt surfacing shall be a minimum thickness of three (3") inches of approved hot mix whenever available, thoroughly compacted by rolling to prevent a smooth surface conforming to the adjacent pavement and not to be mounded or dished. Asphalt Contractors may be used by the Excavators to replace the asphalt service cuts. However, the use of such Contractor shall be only upon the approval of the City Council. If such repair does not meet said approval it will be replaced at the expense of the applicant.
6. **Asphalt over a Concrete Base:** The asphalt shall be cut in the prescribed manner and the concrete base removed with a pneumatic or mechanical type hammer or by similar means. The concrete base shall be replaced with a minimum of six (6") inches of concrete over a gravel base.
7. **Concrete Pavement:** The concrete pavement shall be replaced to the same thickness as the original pavement, with a minimum thickness of six (6") inches. The concrete shall be six-bag (6) mix meeting City Council specifications and shall be finished the same as the existing pavement.