Chapter 347

STREETS, SIDEWALKS AND DRIVEWAYS

ARTICLE I

Street Openings

Proposed amended sections to read as follows:

**§ 347-3 Application for Permit. Delete existing and replace with the following language:**

1. **The application for such permit shall be upon a form provide by the Department of Technical Services, Part A Registration of Contractors and Part B Type of Construction and Location.**
2. **Registration of Contractors and Requirements – Part A.**

**Any contractor or individual who performs any construction activity including the installation of driveways and sidewalks within any Town of Plainville Right of Way shall be registered with the Town of Plainville prior to commencing any such activity. Only licensed contractors, licensed individuals, governmental agencies or public service companies can be registered. Registrations shall be valid from January 1 to December 31 of each calendar year. Each calendar year all contractors or individuals shall renew their registration.**

**Registration forms may be obtained in the Town’s Engineering Department or on the Town’s Website. The requirements to become a registered contractor or individual shall be as follows:**

1. **Complete and submit a registration form along with a fifty ($50.00) fee to the Town of Plainville;**
2. **Homeowners will not be able to register as a contractor. Only licensed professionals will be permitted to register as contractors. Licensed professionals are those contractors and/or individuals that hold and maintain a P1, P7, P-9 or HIC licenses in the State of Connecticut. Contractors and/or individuals holding and maintaining licenses from other states are not eligible.**

1. **The contractor and/or individual shall supply the Town an insurance surety bond with a Power of Attorney, certified check, passbook account for ten thousand ($10,000.00) dollars and a two thousand five hundred ($2,500.00) cash bond. The surety bond shall be on an approved form. All bonds shall be effective/valid for two (2) or more years after issuance; and**
2. **Provide a Certificate of Insurance. Coverage shall be effective for the entire calendar year with the following coverage:**

 **Workers Compensation**

 **Accident**

 **Disease Policy Limit**

 **Disease each Employee**

 **Contractor Liability**

 **General Aggregate -**

 **Products Completed Ops Aggregate -**

 **Personal Injury Advertising -**

 **Each Occurrence - $1,000,000.00**

 **Fire Damage -**

 **Medical Expense Limit**

 **Automobile Liability**

 **Bodily Injury & Property Damage Combined Single Limit**

**All certificates shall be from carriers authorized to conduct business in the State Connecticut having A.M. Best Rating of A- or higher. The applicant agrees to hold harmless, indemnify, protect and defend the Town of Plainville, its agents, servants and employees from any liability for injuries and damages to the contractor , its employees, agents, subcontractors, guests, third parties and incidents to or resulting from any and all operations resulting from the contractor’s activities. The limits of the coverage shall be set by the Town’s Insurance Commission. Insurance coverage shall be maintained until the Town completes the final restoration or one year after the completion of the work whatever happens first.**

**Public utility companies shall not be required to post bonds if contrary to the Department of Energy and Environmental Protection Regulations. Public Utilities shall be billed directly for the actual cost incurred by the Town resulting from deficient work.**

1. **Type of Construction and Location Requirements – Part B.**

**Registered contractors or individuals shall describe the type of construction, location, estimate the magnitude of the impacted area on a form provided by the Town’s Engineering Department or the Town’s Website. A supplementary bond amount will be required for activities in which the impact will exceed more than one hundred (100) linear feet. The supplementary bond value will be calculated as follows: for each additional one hundred (100) linear feet of Right of Way disturbed or any part thereof an additional $2,500.00 will be required.**

1. **Permanent Restoration Fee Process.**

**The permanent restoration of all excavations and utility trenches in any roadway maintained by the Town of Plainville shall be completed by the Town of Plainville and/or contractor retained by the Town of Plainville. All contractors working within the Town of Plainville’s Right of Way shall secure a Street Opening Permit prior to any construction activities occurring within the Town’s Right of Way and notify the Town of Plainville not less than forty-eight (48) hour prior to commencing any excavation.**

**At the time of issuance of the Street Opening Permit, the permittee shall deposit a fee equal to the estimated cost of the permanent trench restoration plus ten (10%) percent. The prepaid fee shall be calculated utilizing units and corresponding prices set by the Town of Plainville. Annually, the Town of Plainville shall set the yearly unit cost for construction items and activities related to trench pavement restoration. A schedule of these units and related costs will the attached to the Street Opening Permit to assist the permittee in determining the value of the prepaid restoration fee. The unit costs will be determined utilizing past unit costs and/or annual bid(s) received for permanent trench pavement restoration.**

**The contractor or individual shall estimate the costs related to the permanent trench restoration. Calculations shall be attached to the Street Opening Permit Application. Upon submission of the permit application, the Town will evaluate the contractor’s estimate determining whether it’s reasonable and acceptable or adjust the units and/or costs accordingly.**

**The trench restoration dimensions shall be estimated based on the length and width of the impacted area. The width shall be estimated as follows: pipe diameter plus twenty-four (24”) inches plus twelve (12”) for every average trench depth in excess on four (4) feet. Example width calculation – Installation of six (6”) inch pipe at an average depth of five (5’) feet: 6” + 24” + 12” = 42” or 3.5 feet.**

**The contractor or individual shall be responsible to install, repair and maintain a transitional patch for a period up to one year after the completion of construction. The intent is that the transitional patch will experience one winter season. During the period between the installation of the transitional patch and commencing the process to complete the permanent patch, the permittee shall promptly correct all defects upon order of the Town of Plainville. Failure to promptly act, shall result in damage claims resulting from the defect and any costs incurred by the Town to rectify the matter. Any Town incurred costs will be taken from the cash bond posted with the registration form. The contractor’s or individual’s Contractor’s Registration will be suspended until the posted cash bond is replenished to two thousand five hundred ($2,500.00) dollars. Multiple infractions, (three or more in any eighteen (18) month time) may result in a temporary or permanent suspension of the contractor’s or individual’s registration.**

**Upon completion of the permanent trench restoration, the actual work activities shall be measured, and final costs tallied. The actual final cost will be compared to the prepaid estimated cost. Should the final cost exceed the prepaid estimate, the contractor shall be billed the difference. Failure to reimburse the Town for any billed additional costs within thirty (30) calendar days will result in forfeiting those funds from the cash registration bond and suspension of the ability to secure future permits until the cash bond is replenished. Should the owed value exceed the cash bond and the contractor fails to reimburse the Town the additional amount, the Town will invoke any and all penalties as prescribed by law. No permits shall be issued until the cash bond is replenished.**

**The Town shall maintain records of all issued Street Opening Permits. Such records may include the date the Street Opening Permit was issued, contractor or individual’s contact information, location and extent of the construction activities, dates the contractor/individual notified the Town when construction was to commence and temporary pavement was installed, value of the prepaid restoration fee and actual cost of the restoration.**

**§ 347-6 Sidewalk Restoration.**

1. Whenever it is necessary to excavate or trench under or in the vicinity of a public sidewalk, whether stone, bituminous concrete or concrete, a temporary walkway shall be maintained. At the close of each workday, the sidewalk shall be restored in such a manner as to render the walk safe for public use. Upon the completion of construction activities, the applicant shall ~~restore the disturbed sidewalk to its original condition. All restoration activities shall comply with applicable Town regulations. The applicant shall be responsible for requesting inspections of the restoration activities by the Department of Technical Services at the required times~~.

**provide a transitional sidewalk restoration. The intent of the transitional surface restoration is a semi-permanent surface, bituminous concrete, that would experience a winter season prior to final restoration. Such surface would be maintained by the permittee for a period up to one calendar year.**

1. The ~~restoration activities~~ **transitional sidewalk restoration** shall be completed within 30 calendar days of finishing the excavation. The sidewalk materials and installation method shall be in accordance with the regulations of the Planning and Zoning Commission.
2. **Section deleted entirely**

**§ 347-7 Curb Restoration. Delete entirely and replace with the following text**

**Whenever it is necessary to disturb or remove the roadway curbing, the permittee shall be required to temporarily replace or repair the curbing with bituminous concrete.**

**§ ~~347-10~~ ~~Permanent Restoration~~ – Delete entirely**

**§ 347-10 Transitional Pavement Surface Restoration – New Section**

1. **A transitional pavement surface restoration shall commence within three (3) business days of the completion of the work. The contract shall notify the Town of Plainville at least forty-eight (48) hours in advance of the start of any work related to the installation of the transitional pavement surface restoration.**
2. **The intent of the transitional pavement surface restoration is a semi-permanent restoration that would experience a winter season prior to the final pavement restoration. Such a pavement restoration would be maintained by the permittee for a period up to one calendar year.**
3. **Installation of the transitional pavement surface restoration shall begin by removing all the temporary patch material, whether hot or cold mix bituminous concrete. The edges of the impacted area shall be recut not less than twelve (12”) inches wider than the original impacted area to create reasonably straight longitudinal and traverse lines. The width of the cutback shall be increased beyond twelve (12” inches to remove any unsound pavement as directed by the Town of Plainville. Additionally, all rounded edges shall be recut square.**
4. **The subgrade shall be regraded and compacted providing enough depth for the bituminous base and wearing courses. The thickness of the new pavement shall be four (4”) inches or equal to the existing pavement thickness whatever is greater. If required, the permittee shall add or remove subgrade material as necessary to establish the proper grades. During grading, care shall be taken not to disturb or undermine the adjacent pavement or subgrade material. Any areas disturb during subgrade preparation shall be repaired as directed by the Town of Plainville. Mechanical compaction shall continue until the density of the compacted material achieves ninety-five (95%) percent of the theoretical dry density.**
5. **Emulsified asphalt tack coat shall be applied to all cut edges prior to the installation of the new bituminous pavement.**
6. **A least two courses of hot mix bituminous concrete shall be installed. The type and thickness of each course shall be determined by the Town of Plainville. The installation of bituminous concrete shall only occur when weather conditions are favorable. Pavement installed during unfavorable weather conditions shall be ordered removed by the Town of Plainville. The pavement shall be shaped and compacted to conform to the existing crown of the roadway. Compaction shall continue on each course until the density of the pavement achieves ninety-five (95%) percent of the theoretical density. The finish surface shall meet the existing pavement in a neat and true manner.**
7. **All materials used for the transitional pavement surface restoration shall conform to the applicable Town Standards or applicable specifications in the most current State of Connecticut Department of Transportation document “Standards for Roads, Bridges and Incidental Construction”.**

**~~§ 347-11 Roadway Preparation~~ – Delete entirely**

**~~§ 347-12 Permanent Pavement~~ – Delete entirely**

**~~§ 347-13 Sealing Joints~~ – Delete entirely**

**§ 347-14 Exception to Restoration Requirements.**

1. **Delete existing and amend to read**

**The permittee shall be required to provide funds for an overlay of the entire roadway width at a thickness of 1 ½ inches of bituminous concrete if the area of the permanent restoration exceeds 1/3 of the total area of the roadway.**

1. **Delete Section entirely**

**§ 347-15 Maintenance Period – Delete entirely**

§ 347-17 Authority of the Director of Technical Services**/Town Engineer.**