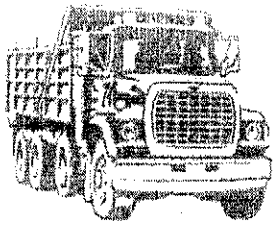

Charlton Highway Department

Gerry Foskett
Highway Superintendent
34 Main Street
Charlton, MA 01507
Telephone. 508-248-2212
Fax: 508-248-2380

TOWN OF Charlton

APPLICATION FOR PERMIT

APPLICATION FEE: $20.00

Permit Type	Please Check one	Permit not valid unless signed and approved by Highway Superintendent	
Street Opening		Permit Fee	$
Street Obstruction		Application Fee	$
Driveway		(Applied toward permit fee)	
Street Closing		Additional opening	
Other-Please state		TOTAL DUE	

ROAD OPENING LOCATION:_____

DIG SAFE NUMBER:_____

UTILITIES GIVEN 72 HOURS NOTICE _____ **YES** _____ **NO**

DESIRED STARTING TIME:_____

APPROXIMATE TIME FOR COMPLETION:_____

Furnish 2 copies (separate drawings), showing locations of proposed work. Indicate relationship to existing light poles, hydrants, trees, traffic signs etc.: show relationship to nearest intersection if within 50 ft. Show north arrow.

This is to certify that I am familiar with the rules, regulations and bylaws of the Town of Charlton and attest that I will do all work in conformance with said rules, regulations and bylaws.

No work shall be done under this permit until the Grantee shall have communicated with and received instructions from the Highway Superintendent and the Chief of Police of the Town of Charlton.

_____ _____

Applicant's Signature **Date**

"CONTINUE ON REVERSE SIDE"

APPLICATION FOR PERMIT:

_____ APPROVED EFFECTIVE DATE:_____

_____ DENIED

_____ APPROVED AS NOTED *

*Comments (Will be used by Highway Superintendent or designee to note special conditions under which permit is issued or to explain reasons for denial.)

_____

_____

_____

_____ BOND (SURETY BOND)

_____ CERTIFICATE OF INSURANCE

Name of Insurer:_____Policy Expiration Date:_____

Insurer address: _____

Name of Surety:_____Amount:_____Expiration Date:_____
(Town of Charlton named as additional insured)

_____ Date:_____
Highway Superintendent Signature

_____ Date:_____
Designee Signature

CONTRACTOR INFORMATION

PROPERTY OR JOB SITE LOCATION:_____

COMPANY NAME:_____

COMPANY ADDRESS:_____

PLACE OF BUSINESS:_____

BUSINESS PHONE:_____

COMPANY OFFICIAL NAME, TITLE:_____

ADDRESS:_____

HOME PHONE NUMBER:_____

24 HOUR EMERGENCY PHONE NUMBER:_____

ROAD OPENING PERMIT REGULATIONS

PURPOSE OF PERMITS

Town Roads have been established and are maintained primarily for the purpose of movement of vehicles and pedestrians. It is also desirable to allow individuals and utility companies to utilize highway rights of way for purposes other than transportation. However, to prevent recurring, dangerous, and annoying interruptions to traffic and pedestrians, and to avoid interference with future road construction and construction methods, it is necessary that strict control be maintained and standard procedures be followed for excavations, construction, and maintenance in Town roads.

DEFINITIONS

Department: When the "Department" is used herein, it shall mean the Highway Department of the Town of Charlton.

Highway Superintendent: Whenever the word "Highway Superintendent" is used herein, it shall mean the Highway Superintendent or other authorized representative of the Town of Charlton.

Grantee: Whenever the word "Grantee" is used herein, it shall mean the person or persons, corporation or municipality to whom this permit is granted, or their legal representatives.

Excavation: Whenever the word "Excavation" is used herein it shall mean any opening in the surface of a public place made in any manner whatsoever, except an opening in a lawful structure below the surface of public place, the top of which is flush with the adjoining surface and so constructed as to permit frequent opening without injury or damage to the public place.

Public Place: Whenever the word "Public Place" is used herein it shall mean any street, way, place, alley, sidewalk, park, square, plaza, or any other similar public property owned or controlled by the Town and /or dedicated to public use.

Town: Whenever the word "Town" is used herein it shall mean the Town of Charlton and/or Highway Superintendent.

Substructure: Whenever the word "Substructure" is used herein it shall mean any pipe, conduit, tunnel, duct, manhole, vault, buried cable, or wire, or any other similar structures located below the surface of any public place.

Standard Specification: Whenever the word "Standard Specification" is used herein it shall mean the Commonwealth of Massachusetts, Department of Public Works, Standard Specifications for Highways and Bridges including the supplemental specifications dated June 19, 1985, or the most recent edition.

Facility: Whenever the word "Facility" is used herein it shall mean any pipe, pipeline tube, main, service, trap, vent manhole, meter, gauge, regulator, valve, conduit, wire, tower, pole, pole line, anchor, cable, junction box, or any other material, structure, or object of any kind of character, whether enumerated herein or not, which is or may be lawfully constructed, left, placed or maintained in, upon, along, across, under, or over any public place.

Person: Whenever the word "Person" in used herein it shall mean any person, firm partnership, association, corporation, company, or organization of any kind.

Utility: Whenever the word "Utility" is used herein it shall mean a private company, corporation, or quasi-municipal corporation under the direction and control of the Department of Public Utilities of the Commonwealth of Massachusetts.

Newly Constructed Reconstructed or Repaved Streets:

Whenever the word "Newly constructed, reconstructed, or repaved streets" is used herein it shall mean any street, which has been newly constructed, reconstructed, or repaved within the past five years.

APPLICATION FOR PERMIT ($20.00)

An application for permit must be filed with the Town of Charlton before preliminary investigation will be made for permit issue. Standard application forms for this permit may be obtained at the Town of Charlton, Highway Department. Each application form (two copies) shall be completely filled out and signed and delivered to the Highway Department. An explanation of the application and sketch shall be made either in the space provided on the application form or a separate sheet in duplicate which the Applicant shall attach to the application. Such diagrams or sketches shall show the location of the work to be done in relation to the outstanding features of the road, such as property lines, intersections, pavement lines, sidewalks, trees, drainage structures, and utility poles by number, and the character and extent of the work.

The Applicant will be required to disclose the methods and materials proposed to be used on unusual or complex projects. In the event the Permittee discovers that additional work or repairs not designated in the original permit must be done in the same location, the Permittee must make application the Town Charlton for a permit to authorize the additional work in the same manner as the first permit.

No other department of the Town of Charlton, Worcester County, the Commonwealth of Massachusetts, or the Government of the United States shall be exempt from the permit process.

Plans and Specifications

When applications are made for permits involving work of major scope, complete plans and specifications must be submitted in duplicate with the application. They should be detailed so that the exact location of the various parts of the work, the risk or injury to road users, and probability of damage to trees, highway structures, and private property can be ascertained.

Rejection of Application

When it appears that the work called for in an application would not conform to the Town regulations, or cause substantial or needless damage to a highway, or create excessive disturbances to traffic, or exceptionally dangerous conditions not commensurate with the benefits to the Applicant, the request for permit will be denied. The Applicant will be informed of such rejection and the reasons for the rejection. The Highway Superintendent may refuse to issue a permit to any person, company, or utility when, in his opinion, work performed under a permit issued to the Applicant has not been properly executed, or when said Applicant has failed to reimburse the Town for recoverable charges billed under terms governing the previous permit. The rejection of an application can be appealed to the Board of Selectmen for final decision.

If, in the opinion of the Highway Superintendent, the opening of a roadway would result in a hazardous situation, the application shall be amended to include installation of the utility by jacking, boring or tunneling. This work shall be done only by a qualified and experience contractor.

BOND REQUIREMENTS

Prior the issuance of the permit, the Applicant shall deposit with the Town Treasurer a Surety Bond in an amount and form as shall be determined by the Highway Superintendent and approved by the Town Administrator. The amount of Surety Bond shall be established separately for each permit in the event of the failure of the permit holder to complete the work or make required repairs to restoration for damages involving the work or encroachment authorized by the permit.

The amount of bond shall be computed on the basis of cost required to make proper restoration or repairs to the work performed which shall not be less than

ten percent (10%) of the total project cost. Immediately upon approval of an application for permit, Highway Superintendent shall advise the Applicant as to the amount of bond required. An annual blanket Surety Bond, acceptable to the Highway Superintendent, may be deposited to avoid the inconvenience and expense of obtaining individual bonds for each permit requested.

The bond shall be released to the permit holder upon the expiration of the guarantee period. The guarantee period shall be for a period of two years following completion of the work. During the guarantee period the Permittee shall be responsible for the restoration, repair, and maintenance of his work.

INSURANCE REQUIREMENTS

An applicant for a permit to work within Town roads or lands shall furnish to the Town, prior to the issuance of the permit, certificates of minimum insurance including automobile, property damage liability, bodily injury liability, and worker's compensation insurance in the amounts determined by the Highway Superintendent as shown below. Insurance coverage shall be reviewed and updated periodically. These certificates shall contain a provision that the insurance company will notify the certificate holder, by registered mail, at least 15 days in advance of any cancellation or material change. The Town of Charlton must appear as the additional insured on the insurance certificate. Failure to maintain prescribed insurance coverage will be cause for cancellation after permit.

Workmen's Compensation	**Statutory**	
Comprehensive Automobile	**Bodily Injury**	**Property Damage**
	$100,000 each person	$ 50,000 each occurrence
Liability	$300,000 each occurrence	
Comprehensive General Liability including blank Contractual Liability Completed Operations Coverage	$300,000 each occurrence	$ 50,000 each occurrence

Should blasting be required, the limits, including automobile, will be as follows

Workmen's Compensation	**Statutory**	
	Bodily Injury	**Property Damage**
Comprehensive Automobile	$500,000 Each person	$500,000 each occurrence
	$1,000,0000 each occurrence	
Comprehensive General		

Liability including blanket Contractual Liability and Complete Operations Coverage	$1,000,000 each occurrence	$500,000 each occurrence

Should blasting be required, all of the necessary permits for the use of explosives shall be obtained from the Fire Chief.

FEES

Application - $ 20.00 can be used toward permit fee

ROAD OPENING

The fee for each permit will be $ 100.00 for the first 100 square feet of road opening and $ 2.00 for each additional 10 square feet or portion thereof.

CURB CUTS

Commercial - $ 50.00
Residential - $ 20.00

ISSUANCE OF PERMIT

A permit shall be issued:

a. After completion of all aspects of the application for permits.
b. Upon receipt of a Surety Bond and insurance certificates in the correct amounts.
c. Payment of fees as required by the Highway Superintendent.
d. The Highway Superintendent has 10 working days in which to respond to a permit.

A permit form must be signed by the Highway Superintendent before it becomes valid. Approved permits will be issued by the Highway Department after application for permits, bond insurance, and fee have been received in good order. The Permittee is forbidden to commence work until the above-mentioned items have been complied with and the Permittee has notified the Highway Superintendent at least twenty-four (24) hours in advance of the exact date and hour he proposes to begin work.

EMERGENCY PERMITS

Nothing in this manual shall be construed to prevent the making of such excavations as may be necessary for the preservation of life or property, or for the location of trouble in conduit or pipe, or for making repairs, provided that the person making such excavation shall apply to the Town for such a permit on the first working day after such work is commenced. Before any excavation work is started, the person or utility excavating must contact all utilities and the Town for subsurface utility locations.

REVOCATION OF PERMITS

Any permit issued by the Town of Charlton may be revoked by the Highway Superintendent at any time by giving notice to the Permittee. Work shall cease unless or until the situation is resolved to the satisfaction of the Highway Superintendent or the Permittee may file and appeal the decision to the Board of Selectmen who may over rule the decision of the Highway Superintendent and may reinstate the permit. All work shall cease and safely secure the work area until a decision is made.

DISPLAY OF PERMITS

A copy of the Permit shall be at the job site at all times for inspection by local police and Highway Department personnel. To be valid, the permit must show the effective and expiration dates and must be signed by the Highway Superintendent. This regulation will also apply to public utilities and their subcontractors.

EXTENSION OF TIME

All required work shall be completed in a manner satisfactory to the Town before the expiration date shown on the permit. In cases where permanent repairs, such as loaming and seeding, must be made at a future date the permit holder shall request the Town for an extension of time to complete the work. Extension of time may be granted upon written request by the Permittee stating the reason(s) for the request.

INDEMNIFICATION

The Applicant agrees as a condition governing the issuance of a permit, that he will hold harmless the Town of Charlton, the Highway Superintendent, and his agents and employees from any and all claims and actions whatsoever arising from the experience of said permit.

CLEARANCE FOR VITAL STRUCTURES

The excavation work shall be performed and conducted so as not to interfere with access to fire hydrants, fire stations, fire escapes, water gates, underground vaults, valve-housing structures, traffic signal cables and boxes, and any other vital areas of equipment as designated by the Town.

PROTECTIVE MEASURES & TRAFFIC CONTROL

SAFETY TO TRAFFIC:

It shall be the duty of the Permittee to make certain that the security of the traveling public is safeguarded and their rights are not unreasonably curtailed. Unless specifically indicated in the permit or authorized by the Highway Superintendent, the traveled way shall not be obstructed. The portions of the highway which are disturbed or which are used for storing materials, or are otherwise unsafe for public travel, shall be adequately protected at all times, to minimize the potential for accidents. Such areas shall be marked at night by flares, lanterns, lights, flasher beacons, or other warning devices approved by the Highway Superintendent. When portions of the traveled way are made dangerous for the movement of vehicles or pedestrians, a sufficient number of uniformed police officers, flagmen, or traffic men shall be employed by the Permittee to direct the traffic safely through the areas. The Highway Superintendent, Police Chief, or Fire Chief shall have the authority to limit the times during which work may take place.

DETOURS:

When, in the opinion of the Highway Superintendent, a Town road may be obstructed by the permit applicant's proposed operations to such an extent as to unduly restrict vehicular traffic or make hazardous its use, a parallel Town road bypass may be designated. All expenses incurred by the Permittee as a result of this bypass establishment, use and restoration of said detour shall be the entire responsibility of the Permittee. The Permittee shall notify the Police and Fire Departments of the layout and expected time of the use of the detour. The Permittee shall supply and maintain such signs at his expense as may be necessary to clearly outline the detour.

Prior to detouring traffic over a road bypass, an inspection shall be made by the Permittee and a representative of the Town to determine the adequacy of the signs and structural condition of the road involved. A second inspection shall be made by the same persons when the detour is terminated so that there will be an agreement as to the extent of repairs, if any, to be made by the Permittee to restore the conditions equal to those existing prior to the establishment of the detour.

PROTECTIVE MEASURE AND ROUTING OF TRAFFIC:

The Permittee shall, in general, maintain safe crossing for two lanes of vehicular traffic at all street intersections where possible, and safe crossings for pedestrians at intervals of not more the two hundred (200) feet. Adequate crossings shall be maintained for vehicles and pedestrians when an excavation is made across any public street, alley, or sidewalk. If the street is not wide enough to hold the excavated material without using part of the adjacent sidewalk, a

passageway at least one-half (1\2) of the sidewalk width shall be maintained along such sidewalk line. When an excavation on any major or minor arterial takes up more than one-third (1\3) of the roadway, and is to remain open overnight, steel bridging of sufficient strength will be required to maintain a normal traffic flow.

The Permittee shall take appropriate measures to assure that during the performance of the work, traffic conditions are as near normal as possible and shall be maintained at all times so as to minimize inconvenience to the occupants of the adjoining properties and to the general public.

When traffic conditions permit, the Highway Superintendent representative, with the approval of the Police and Fire Departments of the Town, may with written approval (or by verbal approval in cases of emergency), permit the closing of streets and alleys to all traffic for a period of time prescribed by him, if in his opinion, it is necessary. The written approval of the Highway Superintendent may require that the Permittee give notification to various public agencies and to the general public. In such cases, such written approval shall not be valid until such notice is given. In cases of an emergency on week nights, weekends, or holidays, the facility owner having such emergency shall contract the Police and Fire Departments by phone before closing the street to traffic.

Warning signs shall be placed far enough in advance of the construction operation to alert traffic within a public street. Cones or other approved devices shall be placed to channel traffic in accordance with the instructions of the Highway Superintendent after his review of the proposed traffic control measures for the project. The placement, shape, size and color of signs shall conform to the applicable sections of the "Manual of Uniform Traffic Control Devices".

RELOCATION AND PROTECTION OF UTILITIES

The Permittee shall not interfere with any existing facility without the written consent of the Town and the owner of the facility. If it becomes necessary to relocate the existing facility, this shall be done by its owner. No facility owned by the Town shall be moved to accommodate the Permittee, unless the cost of such work be borne entirely by the Permittee. The cost of moving privately owned facilities shall be similarly borne by the Permittee unless it makes other arrangements with the person owning the facility. The Permittee shall support and protect by the use of timbers, all pipes, conduits, poles, wires, or other apparatus which may in any way be affected by the excavation work, and do everything necessary to support, sustain, and protect them under, over, along, or across said excavation work. The Permittee shall secure approval of the method of support and protection from the owner of the facility. In case any of said pipes, conduits, poles, wires, or apparatus should be damaged, and for this purpose, pipe coating or other encasement or devices are to be considered as part of a substructure, the Permittee shall promptly notify the owner thereof. All damaged facilities shall be repaired by the agency or person owning the facilities, and the expense of such repairs shall be charged to the Permittee. It is the intent of this paragraph that the Permittee shall assume all liability for damage to facilities and injury to persons.

The only exception will be such instances where damage is exclusively due to the negligence of the owning company. The Town shall not be made a party to any action because of this paragraph. The Permittee shall inform himself as to the existence and location of all underground facilities and protect the same against damages, this shall include notifying "DIG-SAFE" and Highway Department.

PROTECTION OF PUBLIC PROPERTY

The Permittee shall not remove, even temporarily, any trees or shrubs which exist in the street area without first obtaining the consent of the appropriate Town Department or Town official having control of such property.

CARE OF EXCAVATION MATERIAL

All material excavated from trenches, and stockpiled adjacent to the trench or in any street, shall be piled and maintained in such a manner as not to endanger those working in the trench, pedestrians, or users of the street, and so that as little inconvenience as possible is caused to those using the street and adjoining properties. Whenever necessary, in order to expedite the flow of traffic or to abate the dirt or dust nuisance, toe boards or bins may be required by the Town to prevent the spreading of dirt into traffic lanes. Where the confines of the area being excavated are too narrow to permit the piling of excavated material beside the trench, the Town shall have the authority to require that the Permittee haul it to the trench site at the time backfilling. Stockpile of excavated material shall be so located, or suitable precautions taken to insure that any erosion of the material shall not result in siltation of the stormwater drainage system or waterway. The Permittee shall be liable for any flushing, cleaning or dredging resulting from failure to comply with this provision.

It shall be the Permittee's responsibility to secure the necessary permission and make all necessary arrangements for all required storage and disposal sites.

BREAKING THROUGH PAVEMENT

Breaking Through Pavement in Street:

a. All excavation on paved street surfaces shall be precut in a neat straight line with a pavement breaker or saw.

b. Heavy-duty pavement breakers may be prohibited by the Town when the use endangers existing substructures or other property.

c. Cutouts of the trench lines must be normal or parallel to the trench line.

d. Pavement edges shall be trimmed to a vertical face and neatly aligned with eh centerline of the trench.

e. Unstable pavement shall be removed over cave-ins and over breaks, and the sub-grade shall be treated as the main trench.

f. The Permittee shall not be required to pay for repair of pavement damage existing prior to the excavation unless his cut results in small floating sections that may be unstable, in which case, the Permittee shall remove the unstable portion and the area shall be treated as part of the excavation.

g. When three (3) or more openings are made in sequence fifteen (15) feet or less, center to center between each adjacent opening, the Permittee shall neatly cut and remove the area of pavement between these adjacent openings and shall patch it all as one trench.

Breaking through Pavement in Sidewalks

a. All parts of the above section shall apply to sidewalk excavation.

b. On cement concrete sidewalks, all cuts shall be from the nearest joint or score line.

BACKFILLING OF EXCAVATION

Fine material (free from lumps, stones larger than three (3) inches in any diameter, and any frozen material selected from the spoil) shall be thoroughly compacted around and under the substructure to the upper level of subsection M1.02.0 of the Standard Specifications. Backfill material shall be placed in lifts of eight (8) to ten (10) inches and thoroughly compacted by approved mechanical compactors. Within twenty-four inches of the sub grade of the pavement, backfill shall be good clean bank run gravel conforming to subsection M1.03.0 of the Standard Specifications compacted in lifts of eight (8) to ten (10) inches. The Town may require soil tests to be furnished by a recognized soil testing laboratory or registered professional engineer specializing in soil mechanics, when in its opinion, backfill for any excavation is not being adequately compacted. In order for the resurfacing to be permitted, such tests must show that the backfill materials meet the minimum requirements as prescribed by the Town. All expense for such tests shall be borne entirely by the Permittee.

Flow able fill will be used as the Highway Superintendent feels it to be a proper alternative to back filling with the same excavated material.

REPAIR OF ROADWAY EXCAVATION

Temporary Repairs:

As soon as the excavation has been backfilled and tamped, the pavement shall be replaced temporarily by the Permittee. The temporary pavement shall consist of 4" of hot laid bituminous concrete Type I when available at local batch plants, and placed in accordance with the Highway Department specifications.

During winter months when hot bituminous plant mix is not available, the temporary pavement shall consist of at least 4" of cold patch or bag patch.

No traffic is to pass over an area in which an excavation has been made until the temporary pavement has been placed.

In the event of non-acceptable maintenance of temporary repairs the Permittee will be notified of such situations.

Upon notification, the Permittee will make required improvements with in twenty-four (24) hours before being billed for Town improvements. In emergency situations, the Town will make immediate repairs and the Permittee will be billed directly.

All temporary paving materials shall conform closely to the level of the adjoining paved surface and shall be compacted so that it is hard enough and smooth enough to be safe for pedestrian travel over it, as well as for vehicular traffic to pass safely over it at a legal rate of speed. The Permittee shall maintain the temporary paving for a period of no less than 90 days after backfilling is completed or as directed by the Highway Department to conform with the schedule traffic until the excavation has been resurfaced with permanent paving.

Permanent Repairs:

Upon completion of the backfilling and temporary resurfacing of an excavation, the Permittee will be required to permanently resurface that portion of the street surface damaged by his excavation. The permanent resurfacing shall be done in a manner and under specifications prescribed by the Town, and shall be completed within a period of 120 days from the date of the temporary patch or as directed by the Department to conform with the schedule on Appendix A.

TRENCH REPAIRS

The maximum length of open trench permissible, at any time, shall be two hundred (200) feet, and no greater length shall be opened for pavement removal, excavation, construction, backfilling, patching, or any other operation without the written permission of the Town.

PROMPT COMPLETION OF WORK

After an excavation has commenced, the Permittee shall proceed with diligence and expedite all excavation work covered by the excavation permit, and shall promptly complete such work and restore the street as specified. The Permittee shall perform such restoration so as not to obstruct, impede, or create a safety hazard to either pedestrian or vehicular traffic.

NOISE, DUST, DEBRIS

Each Permittee shall conduct and carry out excavation work in such a manner as to avoid unnecessary inconvenience and annoyance to the general public and occupants of the neighboring property. The Permittee shall take appropriate measures to reduce, to the fullest extent practicable, noise, dust, and unsightly debris between the hours of 7:00 pm and 7:00 am. He shall not use except with the express written permission of the Town or in case of an emergency as herein otherwise provided, any tool, application, or equipment producing noise of sufficient volume to disturb the sleep of the residents in the vicinity.

PRESERVATION OF MONUMENTS

Any monument set for the purpose of locating or preserving the lines of any street or property subdivision, or precise survey reference point, or permanent survey bench mark within the Town, shall not be removed or disturbed without first obtaining permission, in writing, from the Town to do so.

Permission to remove or disturb such monuments, reference points, or benchmarks shall be granted only when no alternate route for the proposed substructure or conduit is available. If the Town is satisfied that no alternate route is available, permission shall be granted only upon condition, by an agreement in writing, that the person or utility applying for such permission shall pay all expenses incidental to the proper replacement of the monument by the Town.

GRANITE CURB

No person or utility shall remove, damage, haul away, or cause misalignment of any granite curbing, including radius curb and catch basin stones, for any reason whatsoever without first receiving written permission from the Town.

BITUMINOUS CURB

Any person or utility damaging bituminous curbing during the course of excavation or for any other reason shall be charged for the repair or replacement of the bituminous curbing.

EXCAVATION DURING WINTER

No person or utility shall be granted a permit to excavate or open any street or sidewalk from November 15th of each year to April 1, of the next year unless an emergency or special condition exists and is so determined by the Highway Superintendent and permission is obtained in writing, from the Town. Any person or utility wishing to obtain an excavation permit between aforementioned dates

shall first explain fully, in writing, the nature of the emergency situation to the Town before permission is granted. If a hazardous condition, which endangers life and /or property exists, excavation work shall not be delayed by this section of the regulations. However, a written explanation shall be delivered to the Town as soon as possible and an excavation permit obtained for the opening made.

Non-Emergency excavations between the above dates will constitute an additional $500.00 fee.[1]

INSPECTIONS

The Town shall make such inspections as are reasonably necessary in the enforcement of these regulations. The Town shall have the authority to promulgate and cause to be enforced such rules and regulations as may be reasonably necessary.

EXCAVATION ON A RESURFACED STREET

Whenever the Town has developed plans to reconstruct a street, the Town, or its representative, shall give written notice to all abutting property owners, to the Town departments and to all public utilities which have, or may wish to lay, pipes, wires, or other facilities in or under the highway. Upon receipt of such written notice, such person or utility shall have sixty (60) days which to install or lay any such facility. If an extension of time is needed by a person or utility for the installation of such facilities, the person or utility for the installation shall make written application to the Town explaining fully the reasons for requesting such an extension of time. At the expiration of the time fixed and after such street has been reconstructed, no permit shall be granted to open such street for a period of five (5) years, unless an emergency condition exists or the necessity for making such installation could not reasonably have been foreseen at the time such notice was given. If a permit is granted, the Town may impose extraordinary conditions on the Permittee to preserve the structural condition of the pavement and to blend the permanent patch with existing pavement.

PENALTY

If the work, or any part thereof, mentioned in the preceding sections shall be unskillfully or improperly done, the Town shall cause the same to be skillfully and improperly done, and shall keep an account of the expense thereof; and, in such case, such person or utility shall pay the Town an amount equal to the whole of said expense incurred by said Town with an additional amount of 50% to cover indirect costs. Thereafter, upon completion of the work and the determination of

[1] This fee is pending approval by the Board of Selectmen - 08-05-03

the costs thereof, the Town shall issue no further permits to any person or utility until it shall receive payment of said costs.

Any person or utility who continues to violate any regulations shall receive no further permits until such time as the Town is satisfied that the person or utility will comply with the terms of these regulations.

WAIVER

The Town of Charlton reserves the right to waive any or all regulations in the best interest of the town on a case-by-case basis. All waivers shall be approved in writing by Highway Superintendent.

EFFECTIVE DATE

The effective date for enforcement of these regulations shall be July 22, 2003.

Town of Charlton is not responsible for typographical errors.

APPENDIX A

SCHEDULE OF PERMANENT PATCHING

PERMIT ISSUED FROM	PERMANENTLY PATCHED BY
APRIL 1 – APRIL 30	AUGUST 1
MAY 1 – MAY 31	SEPTEMBER 1
JUNE 1 –JUNE 30	OCTOBER 1
JULY 1 – JULY 31	NOVEMBER 1
AUGUST 1 – AUGUST 31	NOVEMBER 15
SEPTEMBER 1 – SEPTEMBER 30	NOVEMBER 15
OCTOBER 1 – OCTOBER 15	NOVEMBER 15
OCTOBER 16 – DECEMBER 30	MAY 15 FOLLOWING YEAR
DECEMBER 30 – APRIL 1	MAY 15

APPENDIX B

TOWN OF Charlton
HIGHWAY DEPARTMENT

Specifications for Repairing Utility Patches and Trenches in Town's Streets and Sidewalks

GENERAL

The Permittee will be required to furnish all materials and will be responsible for the job to be done in a work like manner. Before any work will be acceptable to the Town all improvements must be placed in as good condition as, or better than, before the work was started, as determined by the Highway Superintendent, or his representative.

SPECIFICATIONS FOR PATCHING BITUMINOUS CONCRETE ROADWAYS

BACKFILL:

The material shall be of good quality as determined by the Inspector. The base shall consist of good clean bank gravel equal in depth to the gravel excavated but not less than 18 inches (see Drawing I). All material shall be laid in 8 to 10 inch layers and thoroughly compacted by mechanical compactors.

Drain layers are required to lay all drain services in an envelope of washed screened gravel with not less than 6 inches of said material all around the barrel of the pipe.

TEMPORARY PATCH:

The top surface of backfill shall be covered with four (4) inches of bituminous concrete Type-I (DRAWING I) immediately following completion of the backfill. The Permittee shall be required to maintain this patch for the least ninety (90) days or until the permanent patch is placed. The patch should be such that all vehicular and pedestrian traffic are able to pass over safely at a legal rate of speed.

PERMANENT PATCH:

After the contractor has placed a temporary patch, he shall allow 90 days for settlement or as directed by the Highway Superintendent before placing a permanent patch. The permanent patch shall be extended one foot on all sides of the temporary patch area. The pavement shall be cut in a neat, straight line with a pavement breaker or saw. The cut shall be square or rectangular with faces straight and vertical (DRAWING II).

A tack coat shall be applied to the vertical faces of the existing pavement before placing permanent patch.

The permanent patch material shall be applied in two layers. The first layer shall be two (2) inches of bituminous concrete base Type-I. The top layer shall be two (2) inches of bituminous concrete surface Type-I. The two layers of bituminous concrete shall be compacted separately. Mechanical compactors will be permitted for patches less than 10 square yards; patches exceeding 10 square yards shall be rolled with an appropriately sized power driven, steel wheeled roller. Infrared heat or other approved method shall be used along the edge of patch area to blend the two surfaces together. The contractor shall be required to correct trench settlement and faulty pavement patches, for a period of two (2) years after permanent patch is in place, at the direction of the Highway Superintendent.

The Town may require curb to curb reconstruction and paving on any newly constructed roadway.