



# Town of Veazie

## Chapter 05 - Street Disruption

Adopted:  
March 8, 1991



A handwritten signature in black ink, likely of the Town Clerk, positioned above the attestation text.

TRUE ATTESTED  
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## Table of Contents

05.01	PERMITS .....	1
05.02	COMPLETION OF THE WORK .....	3
05.03	PROTECTIVE MEASURES .....	3
05.04	EMERGENCIES .....	4
05.05	ENFORCEMENT .....	4
05.06	GENERAL REQUIRMENTS AND DESIGN STANDARDS FOR CULVERT INSTALLATION ....	4
05.07	PENALTIES .....	5
05.08	SEVERABILITY .....	5

**05.01 PERMITS**

**05.01.01 Permit Required**

It shall be unlawful for any person, firm, corporation, or other entity to tunnel under, make an excavation in, construct an entrance to, or install a culvert in any street, alley, road, or other public place in the Town of Veazie without first having obtained a permit therefor from the Town. It shall also be unlawful to undertake any such activity without complying with the provisions of all applicable laws and ordinances and the terms and conditions of the permit.

**05.01.02 Permitting Authority**

The Town Manager, or his or her duly authorized designee, is hereby authorized to issue all permits hereunder, except where the application seeks a permit to tunnel under or excavate a street or road for a lineal distance greater than thirty (30) feet and/or a surface area greater than three hundred (300) square feet, in which case the Town Council, in its capacity as the municipal officers of the Town of Veazie, is hereby authorized to issue the permits required hereunder.

**05.01.03 Applications**

Written application for a permit shall be made on forms furnished by the Town. In addition, for applications seeking to tunnel under or excavate a street or road for a lineal distance greater than thirty (30) feet and/or a surface area greater than three hundred (300) square feet, the written application shall be accompanied by:

**05.01.03.01**

A plan, prepared by a registered professional engineer, depicting the scope of the work, including but not limited to:

**05.01.03.01.01**

Location, size, and depth of the intended tunnel or excavation

**05.01.03.01.02**

Location of existing buildings or structures located within one hundred (100) feet thereof

**05.01.03.01.03**

Location of existing and proposed utilities

**05.01.03.01.04**

Elevations, cross-sections, and profiles of the work

**05.01.03.02**

A traffic control plan

**05.01.03.03**

A construction schedule, and

**05.01.03.04**

A cost estimate certified by a registered professional engineer, which estimate shall contain a separate and distinct estimate of the costs to restore the street or road to its original condition.

**05.01.04 Fees**

The application fee for permits which may be issued by the Town Manager shall be \$25.00. The application fee for permits which may be issued by the Town Council shall be 15% of the total cost estimate prepared by an engineer under Section 05.01.03.

The Town Council may retain the services of independent professionals to provide assistance in the evaluation of applications subject to its review. The Town shall return any portion of the fee not expended for costs incurred in the review, oversight, and inspection of the permittee's project.

**05.01.05 Issuance**

Permits shall be issued in accordance with the provisions of this Ordinance and applicable state laws. No permit shall be issued, and no tunnel or excavation work shall be undertaken, during the period commencing on November 15th and ending on April 15th, except for bona fide emergencies under Section 05 Emergencies.

**05.01.06 Permit Conditions**

The permitting authority is hereby authorized to attach reasonable conditions to the permit to ensure adequate protection of public convenience and safety.

**05.01.07 Permit Expiration**

A permit shall expire if the work authorized thereby is not commenced within thirty (30) days and completed within sixty (60) days after its issuance. A new application and permit shall be required before beginning or completing the work.

**05.01.08 Permit Revocation**

The permitting authority, after written notice and an opportunity for a hearing, may suspend or revoke a permit issued hereunder for the following causes:

**05.01.08.01**

Violation of this Ordinance

**05.01.08.02**

Violation of any applicable state or local law, ordinance, code, or regulation which relates directly to the work authorized by the permit

**05.01.08.03**

Violation of any permit provisions or conditions, or

**05.01.08.04**

Falsehoods, misrepresentations, or omissions in the permit application.

**05.01.09 Insurance**

No permit shall be issued for tunneling or excavation in the travelled portion of a public way unless and until the applicant therefor has filed with the Town Manager a certificate of insurance evidencing the existence of a comprehensive liability policy, with the Town of Veazie named as an additional insured, in an amount of coverage not less than \$300,000.00, to indemnify, defend, and hold the Town harmless for any loss, liability, or damage to persons or property that may result or accrue from or because of the making, existence or manner of guarding or constructing any tunnel or excavation.

**05.01.10 Town Work**

A permit shall not be required for work undertaken for municipal purposes by the Town.

**05.02 COMPLETION OF THE WORK**

The permittee shall prosecute with diligence and expedition all work authorized by the permit and shall promptly complete such work and restore the street to its original condition, or as near as may be. All work shall be accomplished in a good and workmanlike manner and with suitable materials.

If any part of the work shall be unskillfully or improperly done, or if inferior or inappropriate materials were used, the Town Manager or his or her designee may direct that the work be re-excavated and replaced in a proper manner, or that other appropriate corrective action be taken. If the permittee fails to restore the street as required or to take the necessary corrective action within five (5) business days after cessation of the work or notice of the defective work, whichever the case may be, the Town may, at its sole option, cause the restoration to be completed or the corrective action taken to its satisfaction. The permittee shall be liable for the actual cost thereof, plus an additional 25% of such cost for general overhead and administrative expenses. If the weather is not conducive to the relaying of pavement, the permittee may apply temporary surface patching material until the same can be replaced with permanent surface.

**05.03 PROTECTIVE MEASURES**

It shall be the duty of the permittee to place and maintain such barriers, warning devices, or flag persons as may be necessary or appropriate for the safety of the general public. All such devices and activities shall conform to the Federal Highway Administration Manual of Uniform Traffic Control Devices, Section 6. In addition, the permittee shall take appropriate measures to assure that during the course of the work, traffic conditions shall be maintained as normal as possible all times and to minimize any inconvenience to the occupants of the adjoining property and to the general public. No street or road shall be closed to traffic without the written consent of the Town Manager, or his or her designee. In addition, the permittee shall do everything necessary to support, sustain, and protect:

**05.03.01**

All utilities located within the street or road and

**05.03.02**

All adjoining property.

In case the said utilities or private property should be damaged during the course of the work, the permittee shall be liable for all damage or injury resulting therefrom.

**05.04 EMERGENCIES**

Nothing in this Ordinance shall be construed to prevent the making of such excavations as may be necessary in emergency situations for the preservation of life or property or for the location of trouble in a conduit or pipe, or for making repairs, provided that the person, firm, or corporation making such an excavation shall immediately notify the police and shall apply for a permit not later than the end of the next business day thereafter. Any such emergency excavation shall be limited to the smallest amount possible.

**05.05 ENFORCEMENT**

The Town Manager and his or her designee(s) shall be empowered to enforce the provisions of this Ordinance, including the issuance of cease and desist orders for work commenced without benefit of a permit. In addition, the police officers, and constables of the Town of Veazie shall also be empowered to enforce the provisions of this Ordinance.

**05.06 GENERAL REQUIRMENTS AND DESIGN STANDARDS FOR CULVERT INSTALLATION**

The Town Manager shall keep on file in the Town Office a description of all standards for any interested parties. The Town Council may, from time to time, revise these standards.

**05.06.01 Type of Pipe**

The contractor may furnish any of the following types of pipe (minimum 15" diameter is required):

**05.06.01.01**

Corrugated steel metallic coated pipe (zinc, aluminum, or aluminum-zinc alloy);

**05.06.01.02**

Non-reinforced concrete pipe;

**05.06.01.03**

Corrugated Aluminum Alloy Pipe;

**05.06.01.04**

Polyvynalchloride (PVC) Pipe;

**05.06.01.05**

Precoated Galvanized Corrugated Steel Pipe;

**05.06.01.06**

Precoated, Smoothlined, Galvanized Corrugated Steel Pipe;

**05.06.01.07**

Reinforced Concrete Pipe;

**05.06.01.08**

Smoothlined Corrugated Aluminum Alloy Pipe.

**05.06.02 Aggregate for Base and Subbase**

**05.06.02.01 Base**

Aggregate for base shall be screened or crushed gravel of hard durable particles free from vegetable matter, lumps or balls of clay and other deleterious substances. The gradation of the part that passes a 3 inch sieve shall meet the grading requirements of the following table:

Sieve Degradation	Percentage by Weight Passing Square Mesh Sieves MDOT Type B Aggregate
1/2 inch	35-75
1/4 inch	25-60
No. 40	0-25
No. 200	0-5

Type B aggregate for base shall not contain particles of rock which will not pass the 4 inch square mesh sieve.

**05.06.02.02 Subbase**

Aggregate for subbase shall be sand or gravel of hard durable particles free from vegetable matter, lumps or balls of clay and other deleterious substances. The gradation of the part that passes a 3 inch sieve shall meet the grading requirements of the following table:

Sieve Degradation	Percentage by Weight Passing Square Mesh Sieves MDOT Type D Aggregate
1/4 inch	25-70
No. 40	0-30
No. 200	0-7

Aggregate for subbase shall not contain particles of rock which will not pass the 6 inch square mesh sieve.

**05.06.03 Bedding**

Culverts less than 42 inches in diameter shall be bedded on a firm foundation of uniform density. After placing the culvert pipe, backfill material shall be placed along the bottom of the trench and thoroughly tamped against the lower portion of the pipe with special care taken not to move the bedded pipe.

For culverts 42 inches in diameter and larger, the bottom of the trench shall be compacted to density and shaped to fit a template with reasonable closeness or at least 10 percent of the culvert's total height.

On all bedding, when bell and spigot pipe is used, the portion of trench at the joints shall be shaped to fit the bell.



**05.06.04 Backfilling**

After the pipe is installed, it will be inspected before any backfill material is placed. All pipe found to be out of alignment, unduly settled or damaged to the extent that full performance is impaired, shall be taken up and relaid or replaced. Backfilling shall consist of placing suitable material in all spaces excavated and not occupied by drainage structures, bridge structures and other permanent structures up to the elevation of the existing ground. Backfill material shall be fine readily compressible soil or granular material, at or near optimum moisture content, and shall not contain stones larger than 3 inches, frozen lumps, chunks of clay, mineral matter, or any other objectionable material. The material shall be uniformly distributed in layers of not more than 8 inches, loose measure and each layer thoroughly compacted by use of approved compactors before successive layers are placed. When backfill is being placed around a pipe or structure, operations shall be conducted so that the fill is always at approximately the same elevation on both sides of the structure. Water shall be added when necessary to increase the moisture content of the backfill material to obtain compaction. The backfill material shall thoroughly be rammed under the haunches of the pipe with power or pneumatic operated hand tampers. The remainder of the backfill shall be thoroughly compacted with power tampers or vibratory compactors or other approved equipment or combination of equipment.

**05.07 PENALTIES**

Any person, firm, corporation, or other entity violating any provisions of this Ordinance shall be fined \$100.00 for each violation. Each day that such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such. Any fines recovered shall endure to the benefit of the Town of Veazie.

**05.08 SEVERABILITY**

If any section, subsection, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed as separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.