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VILLAGE OF CORRALES

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PUBLIC WORKS

Application for Public Right-of-Way Excavation/Barricade Permit

Please provide the following information (refer to Ordinance No. 300 or call 505-897-0502 for information). **Incomplete applications will not be approved.**

Excavation Permit Barricade Only Permit

Attachments to be included for approval:

Traffic Control Plan Copy of Liability Insurance

Construction Plans, including repair work

Applicant:

Name _____

Address:

Street/POB _____

City _____ State _____ ZIP _____

Contact Numbers:

Telephone _____ Fax No. _____ Cell/Mobile _____

E-mail Address _____

Contractor Company:

Name _____

Address:

Street/POB _____

City _____ State _____ ZIP _____

Contact Numbers:

Telephone _____ Fax No. _____ Cell/Mobile _____

E-mail Address _____

Provide written directions to the project site (attach map showing location):

Start Date of Construction: _____ Completion Date: _____

Note: Work must be completed within ten days of the issuance of the permit unless the Village has approved an extension. Application should be submitted 10 days prior to start date.

I have received a copy of Ordinance No. 300 dated May 13, 1997, and I agree to comply with the requirements as stated. I assume all liability and the Village of Corrales will be harmless until the repair work is completed to Village Specification

Applicant's Name (Print): _____

Applicant's Signature: _____

Official Use Only

Date Received: _____ Received by: _____

File No.: _____ Receipt No.: _____

Excavation Permit Fee \$100 Cash Check Check No. _____

Barricade Permit Fee \$10 Cash Check Check No. _____

Estimated cost for repair of Village-owned appurtenances: _____

Village Approval: _____
Administrator/Designated Agent

**VILLAGE OF CORRALES
ORDINANCE NO. 300**

AN ORDINANCE CREATING RESTRICTIONS AND GUIDELINES FOR CONSTRUCTION WORK IN PUBLIC RIGHTS-OF-WAY; PROVIDING DEFINITIONS; PROVIDING APPLICATION PERMIT REQUIREMENTS; PROVIDING A PERMIT FEE; AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF.

BE IT ORDAINED by the Governing Body of the Village of Corrales, New Mexico that:

This ordinance is for the purpose of ensuring construction methods and Village procedures are implemented for permitting and repairing the excavation of public rights-of-way due to the installations done by private individuals, companies and contractors.

SECTION 1. Definitions:

- A. *Emergency Repair:* Repair, restoration or replacement of an existing structure or cable made necessary because of a sudden unexpected event which has created an immediate and continuing threat to public health, safety and welfare, to include the protection of property.
- B. *Excavation:* Any hole, trench, ditch or depression which penetrates through or under paved or unpaved surface resulting from the removal by the applicant of pavement, dirt or other material creating a substructure opening.
- C. *Public Place:* All property owned, maintained, or controlled by the Village including, but not limited to, streets, bicycle paths, pedestrian or equestrian paths, ways, places, plazas, parks, easements, and rights-of-way.
- D. *Public Right-of-Way:* The dedicated and accepted public land deeded to the Village, reserved by plat, or otherwise acquired by the Village, County or the State of New Mexico.
- E. *Surface Right-of-Way Use:* The use of any surface area within the public right-of-way allowed by an excavation or barricade permit.

SECTION 2. Application Permit Requirements:

- A. Applications shall be filed with the Village Administrator or appropriate department and shall contain at a minimum the following for excavation and barricade permits:
 - 1. Name and address of applicant.
 - 2. Location of the proposed area to be barricaded or excavated.
 - 3. Applicant shall include with the application an estimated cost to replace and/or repair Village owned appurtenances. The Village will evaluate applicant's estimated costs by utilizing Albuquerque's "A City Engineer's Estimated Unit Prices for Contract Items Handbook Spring 1992" or most recent revision. Adjustments may be made for unit prices to depict current rates. If necessary, estimated cost adjustments shall be made acceptable to the Village.
 - 4. Start and ending dates of constructing to include alternate dates. Work must be completed within ten (10) working days after permit is issued. If the work is not completed or an extension not approved, surety or cash bond funds will be used by the Village to complete any repairs.
 - 5. Traffic Control Plan to include work schedule.
 - 6. Applicant must present evidence that liability insurance is carried before issuance of a permit.
 - 7. Construction plans to include repair work.
 - 8. Contractors responsible for work must be licensed by the State of New Mexico for the excavation work.
 - 9. Applicants must certify in writing that they understand the contents of this ordinance.
- B. Applicant will be responsible for any damage to public or private property which may arise from or out of the performance of the work by applicant or agent.

SECTION 3. Permit Fee and Approval.

- A. No person may excavate in a public right-of-way without first obtaining a permit from the Village. An excavation permit shall be required for the underground installation in a public right-of-way of any facility by jacking trenching, boring, digging, tunneling or drilling.

The Excavation Permit Application fee will be one hundred (\$100.00) dollars.
- B. No person shall barricade a public right-of-way without first obtaining a Barricade Only Permit from the Village. A separate Barricade Only Permit shall not be required for barricade activities included within an

excavation permit.

The Barricade Permit Application fee will be ten (\$10.00) dollars. This permit will be issued allowing the temporary obstruction of the surface of the public right-of-way.

- C. Companies and their agents having Franchise Agreements with the Village will be exempted from these fees.
- D. Upon receipt of a completed excavation permit application the Village will inspect the area of disturbance and determine the present condition. The Village will determine a reasonable cost for repairing the disturbance and notify the applicant of the cost. The applicant shall be required to post a performance bond with a financially qualified surety or a cash bond with the Village. Upon review and approval of repairs by the Village the bond or funds will be released by the Village.
- E. All permits shall be approved by the Village Administrator or designated agent.

SECTION 4. Construction Requirements on Public Right-of-Way:

- A. All material excavated and piled adjacent to the excavation must be piled and maintained so as not to endanger the public and so as to cause minimal disturbance to persons using the public place and adjoining property. Excavated material shall not be used as a barricade.
- B. Each applicant must thoroughly clean up all rubbish, excess dirt, rock and other debris resulting from excavation work. If the applicant fails to clean up within 48 hours of completion of work then the Village will contract for such clean up and deduct from surety bond or cash bond.
- C. The applicant must maintain all bar ditches, culverts, gutters, easement crossings and related drainage water, free and unobstructed for the full depth and width or provide adequate substitutes for any watercourses, which are blocked by the excavation.
- D. When excavation will affect road pavement the applicant is prohibited from using pavement breakers, which endanger existing structures or other property. Saw cutting of concrete or pavement may be required when the nature of the job or condition of the street warrants. Unstable pavement must be removed over cave-ins and sub-grade is to be treated in the same manner as the main excavation. Pavement edges must be trimmed to a vertical face and neatly aligned with the centerline of any trench. All cuts shall be parallel or perpendicular to the street.
- E. Any person who trenches or excavates a public place for any purpose whatsoever is required to backfill the trench or excavation. Backfill material must have a minimum of 95% of maximum density. For pavement cuts, 6" base course will be used with a 12" compacted sub-grade, 95% compaction. PMBP (Asphalt) road surface will have a minimum of 2.5%. Applicant will be required to submit laboratory test results, performed by an acceptable and certified laboratory, to ensure compliance of the 95% maximum density requirement. The Village Administration and/or Engineer will review and approve repairs or excavation areas.

SECTION 5. Penalty:

For any violation of this Ordinance, there shall be a fine of not more than five hundred (\$500.00) dollars and imprisonment for not more than ninety (90) days, and each and every day of the violation of this Ordinance constitutes a separate offense punishable as a separate offense.

SECTION 6. Severability

Should any section, paragraph, clause or provision of this ordinance, for any reason, be held to be invalid or unenforceable, the invalidity and unenforceability of such section, paragraph, clause or provision shall not effect any of the remaining provisions of this ordinance. The Governing Body of the Village of Corrales hereby declares it would have passed this Ordinance and each section, subsection, sentence, clause, word, or phrase thereof irrespective of any one or more sections, subsections, sentences, clauses, words, or phrases being declared unconstitutional or otherwise invalid.

SECTION 7. Effective Date and Publication.

This ordinance shall become effective and be in full force and effect from and after its passage, publication and posting, according to law.

PASSED, APPROVED AND ADOPTED by the Governing Body of the Village of Corrales this 13th day of May, 1997.