

CHAPTER 17

SPECIFICATIONS FOR UTILITY CONSTRUCTION PERMIT

Sec. 17.1 General Requirements.

- A. The "Town of Poolesville Specification for Utility Construction Permit" applies to all utility and service construction, reconstruction, or maintenance activities performed within public rights-of-way or easements under the jurisdiction of the Town of Poolesville. The actual construction shall be done under the terms of these specifications and shall conform to all legal requirements of the Montgomery County Road Code and Specifications and the current State of Maryland Standard Specifications for construction and materials.
- B. All work performed under the Utility Construction and Service Permit shall comply with the attached Specifications, Patch Standards and Work Zone Traffic Control Requirements as well as any Special Conditions identified on the permit. In the event the Town of Poolesville or the designated representative finds that the original plans and/or approval conditions are inadequate or inappropriate for the proposed utility work, they may require revised plans and/or approval conditions to remedy the deficiency.
- C. Utility and Service Construction Permit fees shall be established by the Commissioners of Poolesville by amendment of Resolution 007-85 and shall be in sufficient amounts to cover all administrative and inspection costs incurred by the Town of Poolesville.
- D. The Town of Poolesville shall require a corporate or cash performance bond prior to the issuance of the permit. The bond shall be made payable to The Commissioners of Poolesville, in an amount not less than the estimated value of the restoration costs.
- E. The permittee shall submit to the Town permit fees and 2 sets of prints of its proposed construction plan for any work involving utility and/or service installations including new manholes and appurtenances, road crossings, sidewalk crossings, street lights or new and relocated utility poles and the Utility Construction and Service Permit Application in duplicate. The application shall be returned to the permittee either approved or accompanied with comments for revision. These plans must be dimensioned, whether scaled or not, and include the following items (within the proposed limits of work).
 1. Existing topographic and physical details
 - a. Paving - roadway, curb and gutter, driveways and sidewalks
 - b. Storm drain systems - inlets, manholes, pipes and outfalls
 - c. Other utility company facilities - poles, fire hydrants, conduits and pipes

- d. Trees and shrubs
- 2. Existing right of way and easements (including Public Utilities Easements)
- 3. Proposed utility and/or service construction

Emergency repairs are exempt from these requirements. Any permit application revisions must be resubmitted with previous Town comments and a brief written response explaining how those comments have been addressed.

- F. In accordance with the 1994 MSHA policy and MCDPS policy adopted January 1990, a moratorium of five (5) years prior to cutting pavement (i.e., sidewalks, paths, driveways, and roadways) is placed on newly constructed projects. A moratorium of three (3) years is placed on overlay and/or reconstruction projects. The Town of Poolesville will, in writing, give notice of its intention to construct at least one (1) year prior to new construction or at least six (6) months prior to reconstruction. It is the intent of this section to make all reasonable efforts to anticipate future service requirements and repairs and have them installed or corrected prior to street construction or reconstruction projects. **Emergency utility repairs are exempt from this item.**
- G. In the event a pavement cut, or if damage occurs on newly constructed or refurbished roadways within the moratorium period as specified under Section F, such cuts and or damage will require mill and overlay as directed by the Town.
- H. It shall be the responsibility of the permittee to utilize the Public Utility Easement (PUE) whenever it exists. All underground utilities and/or services (with the exception of water and sewer) need to be placed within the PUE. Mainline transmission and distribution facilities, i.e., manholes and conduit, may be exempt due to the limited space within the PUE. Site specific cases will be evaluated when new utilities are proposed within established neighborhoods.
- I. Permits for individual projects are non-transferable and shall expire six (6) months from the approval date of that project. The implementation date and continuance of projects under this permit may be altered at the discretion of the Town inspector in the event of conflict(s) with previously approved permits or emergency activities.
- J. Any water usage from a fire hydrant is to be metered by a Town of Poolesville hydrant meter. Water will be billed at the prevailing rate. Hydrant meters from other jurisdictions are not acceptable.
- K. The permittee shall not use any Town property for overnight or temporary storage of materials or equipment without written consent of the Town. If materials and/or equipment must be stored within the Town streets or right-of-way, permission must be secured during the permit process.
- L. Utility companies or individuals must obtain a Roadside Tree Permit from the Maryland Department of Natural Resources Forest Service (MD-DNR)

prior to trimming, cutting or removing any roadside tree that grows all or in part within the public right-of-way. For more information on obtaining the appropriate Roadside Tree Permit, contact the MD-DNR Forester for Montgomery County at 301-854-6060.

Sec. 17.2 Emergency Repairs

- A. Emergency is defined as, "a condition exists that poses a clear and immediate danger to life or health, or of a significant loss of property, or requires immediate repair or replacement in order to restore service to a customer".
- B. Application for a permit must be filed in Town Hall by the following business day.
- C. All installation and restoration specifications listed in this ordinance must be adhered to.

Sec. 17.3. Specifications.

- A. No construction shall begin until all permits have been approved.
- B. The Town Hall shall be notified at least forty-eight (48) hours prior to the start of work by calling 301-428-8927.
- C. The work, materials, plans and specifications shall be available at all times for inspection by authorized Town of Poolesville officials.
- D. Traffic must be maintained through all phases of construction. Every precaution must be taken to safeguard vehicular and pedestrian traffic through the work area. The permittee must conform to the Uniform Traffic Control Devices Manual including but not limited to all aspects of the size, color and reflectivity of warning signs and pavement markings. Permanent patch contractors and final restoration crews shall also comply with traffic control measures.
- E. Roadway bores shall be at least thirty-six (36) inches under all bituminous concrete surfaces and at least eighteen (18) inches under all Portland-cement concrete surfaces. Pneumatic punching is acceptable; however, the Town of Poolesville may rescind this at any time if there is evidence of pavement damage as a result of the operation.
- F. Cable TV and telephone lines allowed in the right-of-way shall have a minimum cover of eighteen (18) inches.
- G. All excavations in the paved section of the roadway must be backfilled and capped with bituminous concrete cold mix or steel plated at the end of each work day and the roadway re-opened to its full cross-section. All steel plates must be one (1) inch thick steel. Steel plates must be large enough to allow a minimum of one (1) foot of bearing on all sides of the trench. Excavations in unpaved sections within the public space shall be either backfilled to grade or completely covered with lumber/plywood or completely encircled with approved construction

fencing at the end of each workday. Steel plates shall not remain in the roadway for over seven (7) days. The utility company shall be responsible for any damages or injuries, which may occur as a result of the plates being placed in the roadway.

H. It shall be the responsibility of the permittee to keep the adjacent and adjoining streets free of soil, dirt and other debris at all times during the construction. Failure to comply with these regulations shall be considered a violation of the County Code and the permittee will be subject to the penalty(ies) as indicated in Chapters 1, 19 and/or 49 of the Montgomery County Code.

I. Property owners must be notified prior to crossing existing entrances. Driveways must be maintained whenever possible. The Town Inspector shall be notified of damaged driveways. The following procedure shall apply:

1. Damaged asphalt driveways shall be saw cut beyond the damaged area and replaced with six (6) inches of hot mix asphalt upon properly compacted subgrade. Driveway restoration shall include removal and restoration of the surface asphalt pavement to the edge of the trench cut to the edge of the roadway.
2. Damaged curb, gutter and sidewalk shall be removed to the nearest construction joint. A saw-cut shall be made at the joint and an expansion joint established, unless the existing joint is an expansion joint.
3. Damaged concrete driveways shall be removed to the closest existing joint and replaced with seven (7) inches MSHA mix #2 concrete upon properly compacted subgrade.
4. The Town Inspector shall be notified prior to commencement and upon completion of the driveway repairs.
5. The above written restoration specifications are minimum standards. Restoration will be equivalent to or better than the specifications, and the Town will have the final determination whether an alternative restoration method is permitted.

J. Roadway patches:

1. Proper temporary patching shall be made upon the completion of backfilling. Permanent patches shall be completed within sixty (60) days of the completion of the repair or new installation. Should asphalt be unavailable due to winter shutdown, the allotted time period will be extended to include the shutdown period.
2. Bituminous surface course shall be placed between forty-eight (48) and seventy-two (72) hours after the base paving has been placed.
3. Wherever pavement is permitted to be cut, not over one half of the pavement width shall be disturbed at one time; the first half shall be restored to a usable condition before the second half can be opened.

4. Excavation shall be as confined as possible. Sub-base backfill shall be placed, trimmed, and compacted using a mechanical tamper or vibratory plate in maximum 6-inch lifts.
 5. A bituminous concrete base course shall be placed with an initial 4-inch compacted lift and an additional 2-inch compacted lift to match the pavement surface grade.
 6. Wherever a patch encroaches within three (3) feet of the edge of the roadway, the patch shall be extended to the edge of the pavement.
 7. The minimum width of a patch is three (3) feet unless approved in advance.
 8. Pavement cuts shall be made initially with pneumatic tools or saws, as specified in the permit dependant upon proximity to driveways and/or utility appurtenances. After the pavement backfilling has been completed, pavement edges shall be sawed to a minimum of four (4) inches prior to placing the pavement surface over the opening.
 9. Whenever two patches are located within 100 feet of one another, mill and overlay will be required. Once a section or roadway has been milled and overlaid and a third pavement cut (within 100 feet of either of the previous patches) is made, this area will not be required to be milled and overlaid until a fourth cut within 100 feet of the third cut is made.
 10. The above written restoration specifications are minimum standards. Restoration will be equivalent to or better than the specifications, and the Town will have the final determination whether an alternative restoration method is permitted.
- K. Complete repair and restoration of the right-of-way must be made to any and all damages caused by utility installations, repairs and/or operations.
- L. The Town assumes no responsibility for any suits or actions arising from the performance of work designated in the permit.
- M. It is the responsibility of each utility company to obtain and make available to the Town all necessary permits, including those required by Montgomery County and/or the Maryland State Highway Administration.
- N. Failure to comply with these specifications and the requirements herein will constitute a violation and may result in the issuance of a municipal citation and/or immediate revocation of the **UTILITY CONSTRUCTION PERMIT**.
1. Municipal infraction fines will be one hundred dollars (\$100.00) for each initial violation and two hundred dollars (\$200.00) for each repeat violation. Each day a violation continues shall constitute a separate and repeat violation.

2. Permittee shall be liable for all reasonable costs including restoration, collection costs and attorney/court costs resulting from the permit revocation.

**TOWN OF POOLESVILLE
UTILITY CONSTRUCTION PERMIT APPLICATION**

UTILITY COMPANY NAME _____ FILING DATE _____
ADDRESS _____ CITY _____ STATE _____ ZIP _____

CONTRACTOR NAME _____
ADDRESS _____
CITY _____
STATE _____ ZIP CODE _____

CONTACT
PERSON/PHONE _____
FAX NUMBER _____

ADDRESS OF
CONSTRUCTION _____

WE REQUEST PERMISSION TO PERFORM THE FOLLOWING WORK

_____ AS PER ATTACHED PLANS.

DURATION OF WORK _____ Calander Days ANTICIPATED STARTING
DATE _____

DESCRIPTION OF RESTORATION

_____ AS PER ATTACHED PLANS.

APPLICANT'S
SIGNATURE _____ DATE _____

All relevant information on this form **must** be completed before the application is considered. Call Miss Utility (1-800-257-7777) at least 48 hours prior to excavation.

PERMIT VALID FOR SIX (6) MONTHS.

TOWN USE ONLY

Approved _____ Renewal _____ Disapproved _____ Comments _____

SIGNED _____ DATE _____