

The Corporation of the Town of Hawkesbury

Excavation Permits Procedurales

Purpose Statement

This procedure outlines the Excavation Permit process and shall address public safety, traffic egress and ingress and the availability of the proposed location in conjunction with other approved Town of Hawkesbury (town) activities or other uses of the right of way.

Scope

This procedure applies to the permitting of excavation within a municipal right of way under the jurisdiction of the town.

Procedure

Permits and approval for excavations and temporary occupations within the municipal right of way shall be issued by the Public Works department and shall comply with all applicable by-laws, policy and regulations.

Requests for excavation and temporary occupation permits must be made not less than 10 business days in advance of the proposed construction/occupation date and shall include the following:

- A signed and completed Permit Application;
- Two copies of a detailed scalable plan on paper showing the proposed work/occupation location(s) and limits. The plan shall show all existing topographical and underground features/services, property boundary lines and shall be labelled with street names, municipal addresses and a north arrow depicting true north. The plan shall provide full engineering details with respect to the proposed work/occupation and its integration with existing features. The plans shall detail compliance with all relevant legislative, regulatory and applicable standards;
- All applicable fees in the form acceptable to the Superintendent of Public Works;
- A security deposit in the form and amount acceptable to the Superintendant of Public Works representing the potential cost to repair any and all damages associated with the permitted excavation/occupation activity;
- A certificate of general liability insurance with coverage limits as determined by the Superintendant of Public Works covering bodily injury and property damage, and naming the Town of Hawkesbury as an additional insured;
- A save harmless letter stating that the applicant agrees to indemnify fully and save harmless the Town of Hawkesbury, its officers, agents and employees from and against any and all actions, claims, demands, damage, loss or expense whatsoever arising from or incidental to the issuing of such permission, the

occupation, excavation, or construction of any part of the road hereunder or the erection, continuance, want of repair or inadequacy in any respect whatsoever of any structure of thing erected, or purported to be erected pursuant to such permission; and

- A copy of all utility clearance certificates to which the location data (where utilities exist) will be transcribed by the applicant onto the detailed scalable plan.

Should additional approvals be required on an application, the application may be delayed.

Excavation Permit Conditions

1. All activities must be completed within the time frame outlined on the approved permit.
2. Required insurance policies must be effective prior to the commencement of any work within the municipal right of way and maintained until the expiry of the permit.
3. The permit is not transferable to different parties or contractors.
4. Permit fees are non-refundable in whole or part.
5. Work within the municipal right of way shall not begin until every public/private utility has marked (within the permitted work zone) the location of their service
6. The permit must be available on-site and available for review at all times when work is actively underway.
7. The Superintendent of Public Works may impose additional conditions on the permit restricting the work as deemed necessary.
8. The applicant is responsible for ensuring that the work complies with the permit conditions and all other applicable by-laws, regulations and legislation.
9. The applicant will be required to submit a traffic management plan in accordance with Book 7, Temporary Conditions of the Ontario Traffic manual, and such plan shall be acceptable to the Superintendent of Public Works.
10. Every permit holder shall notify the Technical Service department at extension 2020, a minimum of 48 hours prior to commencing any permitted work.
11. The applicant may be required to provide public notice in accordance with the town's Notice policy or where deemed necessary by the Superintendent of Public Works. Such compliance with the notice period may affect the planned commencement date of the permitted work however the Town will not be responsible for such delays in complying with any public notice requirement.
12. The work site shall be kept clean and safe at all times.
13. The applicant is required to employ dust control measures to minimize the creation and/or migration of dust emanating from the permitted work. The Superintendent of Public Works may direct the permit holder to improve the level of dust control as deemed necessary.
14. The permit holder and contractor shall comply with and be bound by the provisions of the *Occupational Health and Safety Act, R.S.O. 1990*, as amended.
15. The Superintendent of Public Works may at any time require a permit holder to provide material and compaction testing by a licensed material testing laboratory

- at the permit holder's expense. Testing results shall be provided to the town directly from the testing laboratory. Any material or compaction that does not meet applicable standards shall be rectified at the permit holder's expense.
16. Video inspection of underground infrastructure within the work zone will be required when boring, jacking and/or tunneling is employed for subsurface installations.
 17. The permit holder shall be responsible for all temporary and/or permanent reinstatement of all areas disturbed by the permitted work as detailed on the approved plans accompanying the work permit and to the satisfaction of the Superintendent of Public Works.
 18. As a minimum, the warranty period for any issued permit shall be valid for a period of 12 months beyond the date of the completion of the permanent restoration of the work area within the municipal right of way. Superintendent of Public Works reserves the right to:
 - a. Extend the effective permit period where the permit holder undertakes remediation work on the initial permanent restoration work due to issues of unsatisfactory performance or for any reason deemed necessary by the Superintendent of Public Works
 - b. Reduce the effective permit period where the permanent restoration works have, in the opinion of the Superintendent of Public Works, proven to be satisfactory or where other planned or permitted works in same area will disrupt the permanent restoration works completed by the permit holder.
 19. Steel road plates may, with approval from the Superintendent of Public Works, be used to temporarily bridge an open excavation and support vehicular travel for a period no greater than 24 hours. Where steel plates are used the permit holder shall satisfy the Superintendent of Public Works, through certification by a licensed Ontario Professional Engineer, that the plates are designed and installed to support the maximum permitted highway load. Any installed plates shall be set flush with the surrounding pavement.
 20. All posted securities for the permitted works shall be retained by the town until the expiration of the permit. Requests for security reduction due to partial performance of the permanent restoration works shall not be permitted.
 21. The permit holder will be responsible for the maintenance of all temporary and permanent restoration work for the life of the issued permit. The permit holder shall maintain temporary and permanent restoration works to the satisfaction of the Superintendent of Public Works.
 22. Where the permit holder fails to comply with the conditions of the permit, the Superintendent of Public Works shall give verbal notice to the permit holder, specifying actions to be taken, which the permit holder must perform. The verbal notice shall be confirmed in writing and served on the permit holder by registered mail to the permit holder's address as stated in the application form or personally by hand. If the permit holder does not act within the time prescribed in the written notice, the Superintendent of Public Works may order the work to be done at the permit holder's expense. All costs incurred by the town shall be paid by the permit holder forthwith on demand, failing which the costs shall be deducted from the security, inclusive of an administration fee of 20%.

23. If the Superintendent of Public Works is of the opinion that the work has adversely affected traffic conditions and flow, or created a situation which poses an unnecessary risk to the public, the Superintendent of Public Works shall direct the permit holder to undertake immediate steps to improve the situation and/or remove the risk. If the Superintendent of Public Works cannot make direct contact with the permit holder within a reasonable amount of time or if the permit holder fails to act upon the direction given by the Superintendent of Public Works within four (4) hours, the director may order the work to be done by the town or others. All work done by the town or others shall be at the expense of the permit holder and the costs incurred by the town, plus 20% shall be paid by the permit holder forthwith on demand failing which the costs, plus 20% shall be deducted from the permit deposit.

The conditions placed on the permit shall be at the discretion of the Superintendent of Public Works.