

CODIFIED ORDINANCES OF LOUDONVILLE
PART TEN - STREETS, UTILITIES AND PUBLIC SERVICES CODE

TITLE TWO - Street and Sidewalk Areas
Chap. 1010. Excavations.
Chap. 1012. Trees.
Chap. 1014. Streets.

CHAPTER 1010
Excavations

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CROSS REFERENCES

Power to establish and care for streets - see Ohio R.C. 715.19, 723.01
 Opening streets - see Ohio R.C. 723.02
 Change of name, vacating and narrowing streets - see Ohio R.C. 723.04 et seq.
 Sprinkling - see Ohio R.C. 723.16 et seq., 727.32 et seq.
 Surface treatment - see Ohio R.C. 723.23 et seq.
 Liability for damages - see Ohio R.C. 723.49 et seq.
 Compulsory service connections - see Ohio R.C. 727.05
 Changing established grade - see Ohio R.C. 727.32
 Assessments for street improvements - see Ohio R.C. 727.32 et seq.
 Digging, excavating and piling earth on streets - see Ohio R.C. 5589.10
 Duty to keep sidewalks in repair - see GEN. OFF. 660.05
 Barricades and warning lights - see GEN. OFF. 660.09
 Sidewalk obstructions - see GEN. OFF. 660.10

1010.01 PREREQUISITES FOR WORK ON STREETS.
 No department of the Municipality shall accept, lay out, open, improve, grade, pave, curb or light any street or other way unless such street or way

has been accepted by Council as a public street or way.
(Ord. 1434. Passed 3-15-76.)

1010.02 PERMIT REQUIRED; NOTICE PRIOR TO OPENING.

(a) No person, other than the Street Commissioner, the Engineer, or the authorized employees or agents of either, shall make any opening in any street, alley, sidewalk or other public way of the Municipality, unless a permit to make such opening has been obtained prior to commencement of the work.

(b) All openings into improved streets or alleyways shall be made only upon written notification, giving the date and time of such opening, to the Street Commissioner seven days prior to such opening; provided, however, that such Street Commissioner may waive the seven day notice in any situation which he deems as an emergency.
(Ord. 1434. Passed 3-15-76.)

1010.03 PERMIT REQUIREMENTS; APPLICATION; DEPOSIT.

Each permit for making an excavation shall be confined to a single project and shall be issued only by the Clerk-Treasurer. Application shall be made on a form prescribed by Council, giving the exact location of the proposed opening, the kind of paving, the area and depth to be excavated and such other facts as may be provided for. The permit shall be issued only after a cash deposit or a performance bond has been posted with the Clerk-Treasurer in the amount of one hundred dollars (\$100.00) or six dollars (\$6.00) per square foot of excavation, whichever shall be more, conditioned upon prompt and satisfactory refilling of excavations and restoration of all surfaces disturbed.
(Ord. 1434. Passed 3-15-76.)

1010.04 COMPLETION OF WORK; FORFEIT OF DEPOSIT.

The opening and restoration of a pavement or other surface shall be performed under the direction and to the satisfaction of the Street Commissioner, and in accordance with rules, regulations and specifications approved by the Mayor and Council.

Upon failure or refusal of the permittee satisfactorily to fill the excavation, restore the surface and remove all excess materials within the time specified in the permit, or, where not specified therein, within a reasonable time after commencement of the work, the Municipality may proceed without notice to make such fill and restoration and the posted deposit shall be deemed forfeited. The forfeited deposit shall be paid into the Street Construction, Maintenance and Repair Fund, except that part demanded and paid to the permittee as the difference between the deposit and the charges of the Municipality for restoration services performed by it. If the amount of the services performed by the Municipality should exceed the amount of the deposit, the Clerk-Treasurer shall proceed to collect the remainder due from the permittee.
(Ord. 1434. Passed 3-15-76.)

1010.05 BARRICADES.

Any person engaged in or employing others in excavating or opening any street, sidewalk, alley or other public way shall have such excavation or opening fully barricaded at all times to prevent injury to persons or animals.
(Ord. 1434. Passed 3-15-76.)

1010.06 WARNING LIGHTS.

Any person engaged in or employing others in excavating or otherwise obstructing a portion or all of any street, sidewalk, alley or other public way, at all times during the night season shall cause at least two illuminated red or amber lamps to be securely and conspicuously posted on, at or near each end of such obstruction or excavation. If the space involved exceeds fifty feet in extent, then at least one additional lamp for each added fifty feet or portion thereof excavated or obstructed shall be posted.

(Ord. 1434. Passed 3-15-76.)

1010.07 EXCAVATED EARTH AND BACKFILL; USE OF JACKHAMMER.

All street openings shall be subject to the following regulations:

- (a) All excavated earth shall be removed from streets and alleyways.
- (b) No openings can be backfilled with excavated earth from the opening except upon written approval of the Street Commissioner. Where approval of such excavated earth for backfilling is not made the opening shall be backfilled with the following material, and in accordance with the diagram dated January 15, 1993 prepared for the Village of Loudonville, Ohio by Laurila & Associates, which diagram is incorporated herein and accompanies Ordinance 22-93 as Appendix A:
Number 67 crushed gravel or ODOT 304 material to be used within 6 inches below the surface as backfill, mechanically tamped to within 6 inches below the surface followed by 3 inches of ODOT 301 base course mechanically tamped or rolled to within three inches of the surface and three inches of ODOT 402 surface course applied per ODOT specifications to be replaced on all paved streets and alleyways. If any pipe or utility line is placed in the excavation, there shall be a minimum trench width of the inside diameter of the pipe plus two feet zero inches and the trench area surrounding the pipe shall be filled to a minimum of four inches above the pipe or utility line placed within the trench with sand or bank-run gravel followed by the other materials identified herein.
- (c) All openings or excavations made in any street or alleyway in the Village shall be commenced by the use of a jackhammer prior to the use of any other equipment such as a backhoe.

(Ord. 1434. Passed 3-15-76; Ord. 22-93. Passed 3-1-93.)

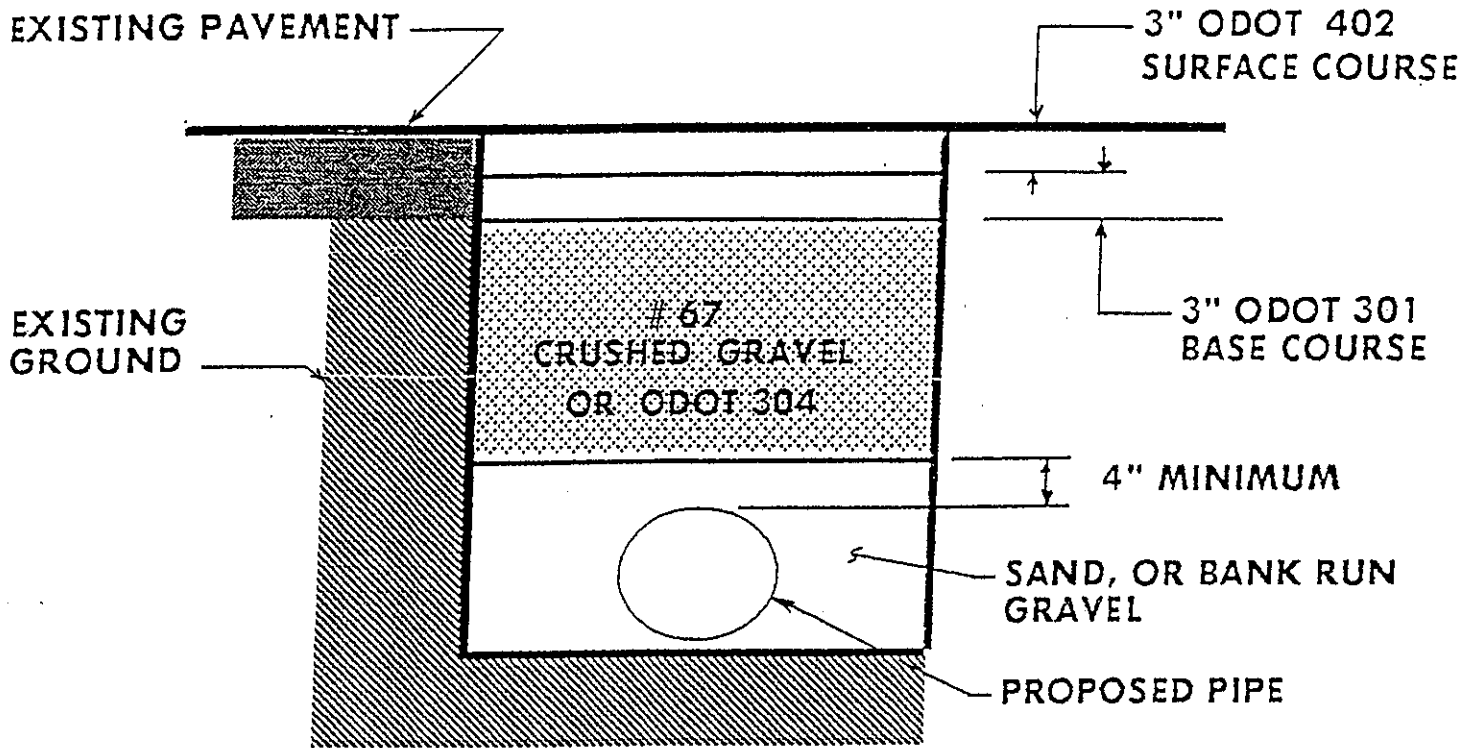
1010.99 PENALTY.

Whoever violates any of the provisions of this chapter shall be fined not more than one hundred dollars (\$100.00) for each offense. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

(Ord. 1434. Passed 3-15-76.)

STREET REPAIR AND TRENCH DETAIL

CODIFIED ORDINANCE See 1010.07 (1994 Rev)



NOT TO SCALE

MINIMUM TRENCH WIDTH SHALL BE I.D./PIPE PLUS 2'0"

ALTERNATIVE MATERIALS MAY ONLY BE USED UPON EXPLICIT AND DIRECT APPROVAL OR DIRECTION BY THE VILLAGE OF LOUDONVILLE STREET COMMISSIONER.

1010.07

January 15, 1993

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