

**ORDINANCE NUMBER ____, SUPPLEMENTAL
AMENDING CHAPTER 214, STREETS AND SIDEWALKS,
ARTICLE II, ENCROACHMENTS AND EXCAVATIONS,
SECTION 214-29, EXCAVATION PERMIT REQUIRED**

WHEREAS, Chapter 214, Article II of the Code of Ordinances contains provisions concerning encroachments on and excavations of streets and sidewalks; and

WHEREAS, the City's administrative costs of issuing "standard utility opening" permits has significantly increased; and

WHEREAS, the fee charged by the City to issue "standard utility opening" permits has not been increased since 2002; and

WHEREAS, it has been determined that it is in the best interests of the City of Stamford to increase the fees for "standard utility opening" permits to cover the higher costs;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Chapter 214, Article II, Section 214-29 of the Code of Ordinances of the City of Stamford is hereby amended as follows:

Sec. 214-29. Excavation permit required.

A. General requirements.

- (1) No person except duly authorized officers, agents, permittees or employees of the city shall make any openings or excavation, install or remove curbing and driveways or perform other construction which will alter any sidewalk, street or public square in the city without first having obtained a written permit to do so from the City Engineer.
- (2) No person shall begin work under a permit issued by the City Engineer until the street opening permit has been approved by the Director of Operations of the city. The Director of Operations or his designate shall require such measures to be performed by the permittee as are necessary in his opinion to assure the safe passage of traffic through or around a work area. The Director of Operations may require signs, barricades or trafficmen and/or limit the hours of operation of such permitted work to ensure safety and minimize congestion on the streets.
- (3) Any permit which is exercised without such approval of the Director of Operations shall be deemed null and void, and any violation of regulations imposed on a permit shall be deemed a violation of this section.

- B. Every construction permit shall state the purpose of the proposed construction, the location thereof, the name of the person to whom it is issued and other information deemed necessary by the City Engineer.

- C. Every permit issued under the provisions of this section shall expire on a date set by the City Engineer. All excavations or other work under this permit shall be properly backfilled, compacted and repaired before the expiration date in accordance with standards and specifications as issued by the City Engineer
- D. The City Engineer shall charge a minimum fee of ~~one hundred twenty-five dollars (\$125.00)~~ **two hundred and fifty dollars (\$250.00)** per permit for every "standard utility opening" permit.
- E. Each violation of any provision of this section shall constitute a separate offense. All persons, as principals, agents or permittees, causing, participating in or in any way responsible for any violation of this section, shall be severally guilty of such violation and shall each be fined not less than four (4) times the normal permit fee. Additionally, in the event permanent repairs have not been completed by the expiration date of the permit or trenches are not backfilled properly and properly maintained with temporary asphalt, the permittee shall be fined at a rate equal to ten percent (10%) of the specific permit fee per calendar day and no additional permits shall be issued to the offender until the existing condition is rectified to the satisfaction of the City Engineer. Failure to comply with specified requirements may result in revocation of any existing permits, and no further permits shall be issued for ninety (90) days for the first offense, one (1) year for the second offense and the third offense may result in permanent denial of any street opening permit. Notwithstanding, the fines mentioned above still apply.
- F. No permit shall be granted under the provisions of this section until fees on all permits previously issued, together with charges for street or sidewalk repairs in connection with such permit, shall have been paid.

Effective Date. This ordinance shall take effect upon enactment.