



CITY OF TONAWANDA, NEW YORK

DEPARTMENT OF ENGINEERING

OFFICE OF THE CITY ENGINEER
JASON J LaMONACO, P.E.

200 NIAGARA STREET
TONAWANDA, NEW YORK 14150

TELEPHONE
(716-695-8624)

PERMIT TO EXCAVATE OR OPEN CUT ON CITY PROPERTY PERMIT NO. _____

Application is hereby made by:

To work on city property at:

Company Name: _____

Address: _____

Agent Name: _____

Between: _____ and _____

Address: _____

Excavation width: _____ ft., length: _____ ft.

Telephone: _____

Type of Work:(sewer, water, other): _____

Contractor's or Plumber's License # _____

Start Date: _____

Completion Date: _____

THE PERMITTEE IS ADVISED TO CHECK FOR UNDERGROUND UTILITIES BEFORE PERFORMING WORK UNDER THIS PERMIT. ALL UTILITY LOCATIONS GIVEN BY THE CITY OF TONAWANDA ARE APPROXIMATE. IT IS THE PERMITTEE'S RESPONSIBILITY TO VERIFY LOCATIONS IN THE FIELD. UNDERGROUND FACILITIES PROTECTIVE ORGANIZATION (UFPO) NO. IS 1-800-962-7962.

THE PERMITTEE AGREES TO PERFORM ALL WORK IN ACCORDANCE WITH THE CURRENT EDITION OF THE NYS UNIFORM FIRE PREVENTION AND BUILDING CODE.

THE PERMITTEE AGREES TO COMPLETE REPAIR OF SAID CITY PROPERTY AS SOON AS POSSIBLE IN ACCORDANCE WITH SPECIFICATIONS ON FILE IN THE CITY ENGINEERING DEPARTMENT OR AS DIRECTED BY THE CITY ENGINEER.

THE PERMITTEE AGREES TO COMPLY WITH ALL FEDERAL, STATE AND LOCAL RULES AND REGULATIONS RELATED TO THE WORK AUTHORIZED UNDER THIS PERMIT. OSHA REGULATIONS MUST BE FOLLOWED.

GENERAL REQUIREMENTS:

1. Permittee agrees to comply with Chapter 54, Article 2 of the Code of the City of Tonawanda (See reverse).
2. All streets shall be kept open for the passage of traffic and pedestrians during the construction period. The permittee shall have full responsibility for the safety of the job site and shall provide all safeguards to prevent personal injury or property damage.
3. All pavement areas, sidewalks and curbs shall be sawcut to ensure a clean matchline between existing and disturbed areas. Sidewalk boring shall be allowed provided the bore does not leave annular space around the installed pipe. The City plumbing inspector shall inspect the sidewalk upon completion of the project. Should the plumbing inspector observe any sidewalk cracking, whether existing or caused by the plumbers operations, the cracked block shall be removed and replaced with new concrete in accordance with City standards. Removal of the existing concrete block and replacement of said block after construction will not be allowed.
4. All trenches in pavement areas shall be backfilled to the bottom of existing pavement with no.2 crusher run stone (NYSDOT Item 304.12, Type 2). Backfill material shall be compacted with a mechanical tamper in lifts not to exceed two (2) feet, achieving a minimum compaction of 93 percent.
5. Concrete sidewalks in non-driveway areas shall have a minimum thickness of four (4) inches. All sidewalks across driveways and driveway aprons shall have a minimum thickness of six (6) inches and shall be installed on 6" x 6" wire mesh reinforcing. Permittee shall replace only full sidewalk blocks (no partials). Concrete shall be air entrained concrete and have a minimum strength of 4000 pounds per square inch (PSI).
6. All work shall be done in accordance with City Engineering Standards.
7. Permittee shall NOT contact the City of Tonawanda Department of Public Works when trench is ready to receive asphalt patch.
8. All disturbed lawn area shall be returned to pre-construction condition. PERMITTEE is responsible for restoration.
9. All work shall be completed within 30 days from the date of issuance of this permit unless an extension has been granted by the City Engineer.

This permit and related conditions are accepted by:

Applicant by: _____

(APPLICANT OR AUTHORIZED AGENT)

Department of Engineering by: _____

(CITY ENGINEER OR DESIGNATED REPRESENTATIVE)

Date issued: _____; Fee paid \$ _____

Date inspected: _____

Signature of Inspector: _____

Name of Inspector: _____

ENG(08/18) Sent to DPW for Patch: ___/___/___, Job Completed ___/___/___

ARTICLE 2. EXCAVATIONS

DIVISION 1. GENERALLY

Sec. 54-31. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

City property includes any and all real property owned by and/or under the jurisdiction, supervision and control of the city, or any and all real property upon which the city has a public right-of-way, including but not limited to city parking lots, sidewalks and the area of land from inside the street curb to the landowner's property line.

Location means the premises address and the specific area where the excavation work will be performed.

Street includes any street, road, public right-of-way or other public thoroughfare within the city limits.

(Code 1989, § 269-15)

Cross reference— Definitions generally, § 1-2.

Sec. 54-32. - Penalty.

Except as stated in this article, violations of this article are punishable as provided in section 1-7.

Sec. 54-33. - General standards; approval of work.

(a) All backfilling, street and curb repair, sidewalk repair and grass repair or any other work on city property shall be done in accordance with specifications on file in the city engineering department and shall be approved by the city engineer or a duly designated representative.

(b) In the event that any sidewalk owned by the city is repaired by a resident, at the resident's cost, the permit fee shall be waived.

(Code 1989, § 269-19(B); Res. of 7-1-2008, § 148)

Sec. 54-34. - Inspection of plumbing work.

No excavation for the purpose of repairing or installing sanitary sewers, water supply lines or drain pipes shall be backfilled until a final inspection of the plumbing work has been made and the work approved by the plumbing inspector.

(Code 1989, § 269-19(A))

Sec. 54-35. - Protection of public safety; indemnification of city.

(a) The permittee under this article shall be responsible for all barricading, lighting and other safety measures on or about the excavation site for the protection of the public until such time as the work is satisfactorily completed in a manner acceptable to the engineering department.

(b) In the event of any suit or claim against the city by reason of negligence or default of the permittee, the permittee shall hold the city harmless and indemnify the city fully, and any final judgment against the city shall be conclusive upon the permittee.

(Code 1989, § 269-20)

Sec. 54-36. - Work by waterproofing contractors.

Waterproofing contractors shall retain the services of a city-licensed plumber for all work on the city's right-of-way. No plumber shall obtain an excavation permit unless the plumber will perform the work under the permit.

DIVISION 2. - PERMIT

Sec. 54-61. - Required.

No person shall in any way alter or change any portion of a public street or other city property or make any excavation therein or add any material thereto or cut or break any street pavement, curb or part thereof or construct or remove or in any way change any sidewalk therein for the purpose of laying or repairing water supply or sanitary sewer or drain pipes or for any other purpose without obtaining a permit from the city engineering department for the doing of such work.

(Code 1989, § 269-16)

Sec. 54-62. - Application; fee.

The permit required by this division shall be issued by the department of engineering upon review and approval of the application filed in the office of the city engineer. The application shall contain the name, place of business and residence of the applicant and the location and a brief description of the work to be done, and other information as may be requested by the city engineer. It shall also contain an agreement that the work will be done in accordance with the New York State Uniform Fire Prevention and Building Code and with the specifications on file with the engineering department. The applicant shall at the time of application pay the engineering department one fee for each permit issued. The engineering department shall determine and calculate the fee for each permit according to the schedule in section 30-391.

(Code 1989, § 269-17)

Sec. 54-63. - Eligibility for permit; insurance; indemnification agreement.

(a) No permit shall be issued under this division until the applicant has obtained a contractor's or plumber's license pursuant to article 6 of chapter 18 or article 4 of chapter 14, respectively, and has filed with the city a certificate of insurance issued by an insurance company authorized to do business in the state or is the present owner of record for the property and has provided evidence from the property owner's insurance carrier indicating that the homeowner's insurance policy covers the work on the city property. The certificate must include the following minimum requirements:

- (1) One hundred thousand dollars of personal injury liability coverage for injury to one person.
- (2) Three hundred thousand dollars of personal injury liability coverage for injury to more than one person.
- (3) Fifty thousand dollars property damage insurance.
- (4) Coverage in force for the duration of the work.
- (5) Naming the city as additional insured.
- (6) A ten-day cancellation notice to the city.

(b) In addition, the permit applicant must file an agreement with the city providing that the applicant will hold the city harmless for damages resulting from any defect in the work.

(Code 1989, § 269-18)