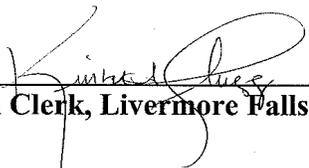


**ROAD OPENING ORDINANCE  
TOWN OF LIVERMORE FALLS**

**On June 11<sup>th</sup>, 2003 an ordinance called "Road Opening Ordinance" was voted on and approved at the annual Town Meeting held in Livermore Falls.**

  
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**Town Clerk, Livermore Falls**

## ROAD OPENING ORDINANCE

**To dig in the road right of way a permit is required, as stipulated in this ordinance.**

The issuance of Road Opening Permit is the responsibility of the Town Road Commissioner or his designee.

The utilities or property owner is responsible for getting the permit in a timely fashion ( Dig Safe is 72 hours prior). The permit will list the owner's name, the reason for the opening, and the contractor's name, address, and phone numbers.

The permit is issued in accordance with Title 35, Section 2346, 2349, 2351, 2352 and 2353 and Title 23, Section 3351 to 3359, MSRA and under the following criteria:

1. During the opening of a Town street proper traffic control, as defined by the manual on Uniform Traffic Control Devices (MUTCD), must be in place. Proper trenching techniques as defined in the OSHA Federal Register Standards-Excavations Final Rule are to be followed.
2. All backfill material shall be thoroughly compacted. The top of the trench shall be of a clean gravel processed to a graduation of no larger than 3” in size and be of a thickness equal to the present base but under no circumstances be less than 12” after compaction.
3. All asphalt removed is to be properly disposed of. The opening is to be squared and repaved using 2” of binder (B mix) with 1” of surface (D mix), or greater – to match existing pavement depth. Mix design will meet all MDOT specifications.
4. The permittee assumes total responsibility for the site during construction and for a period of one (1) year from the date of completion. Should a problem arise it will be the sole responsibility of the permittee to take all corrective measures deemed necessary by the Town of Livermore Falls. Street reconstruction is to be

completed as soon as possible so as not to create an undue hazard to the motoring public.

5. All surplus material remaining after excavation must be removed, leaving shoulders and ditches properly graded and free of obstructions. Any variations of the above listed specifications must meet with the prior approval of the Town of Livermore Falls.
6. Permittee must notify and follow all Dig Safe rules.
7. Not less than one-half the width of the traveled way shall be open to traffic at all times.
8. Right is reserved by the Town to do the entire job or the backfilling part thereof on any specific job and bill the permit holder. If this right is to be exercised by the Town it must be specifically mentioned in the first paragraph of this permit, following the purpose for which the permit is issued.
9. The closing of an emergency opening will be made during business hours, 7:00 am to 3:00 pm Monday through Friday. Temporary closing is required for the balance of the weekend.

**INSURANCE:** The excavator shall furnish a certificate of insurance to the Road Commissioner prior to undertaking any excavation in a public way.

**VIOLATION AND PENALTY:** A person or organization who violates this Ordinance shall be punished for each offense by a fine of not more than \$100.00 plus the cost of any fees or charges for work done, which remain unpaid. No further permits shall be issued to any person or organization who violates this Ordinance until all amounts due have been paid. If a private party fails to complete within a reasonable time any work for which an opening permit is required, the Town may complete the work and charge the owner for the cost of doing so.

Adopted June 11, 2003