

CHAPTER 17C AMENDMENTS

Environmental Quality and Public Works Committee

August 22, 2017



LEXINGTON



Issues

- Street Cuts
 - Not restored properly within allotted permit time
 - 21 days (default)
 - Poorly installed and/or maintained
 - Major driver of 311 calls for DOE
 - Current ordinance does not address enforcement
- Work without a permit
 - Smaller contractors
 - Never applied
 - Larger contractor
 - Applied after work has begun or completed
 - Current ordinance does not address enforcement



Street Cuts

- Temporary vs Final restoration
 - Temporary
 - Cold mix asphalt patch and plates
 - Allows quicker reopening to traffic
 - Allows re-access of site during permit period
 - Primary driver behind 311 calls
 - Final
 - Full restoration with hot mix asphalt
 - Begins 2 year warranty period
 - Dependent on asphalt availability
 - Very low failure rate



Street Cut - Current Ordinance

- 21 days default time
 - Can be extended at permit initiation
 - Typical for large capital projects
 - Extended by default if work/restoration is not complete

- \$250 fee
 - No additional fee for extension(s)



Street Cut - Proposed Amendment

- 21 days default time
 - Based on Public Service Commission standard
 - Can be extended at permit initiation (no fee)
 - Typical for large capital projects
 - Extended by default if work/restoration is not complete

- \$250 fee
 - **Additional \$250 fee for each extension**



Work without Permit - Current Ordinance

- Costs
 - Not set in current ordinance
 - “...subject to levy of fines”

- Applies to all permit types
 - Both installation and street cut



Work without Permit - Proposed Amendment

- Costs
 - Doubles normal fee
 - Installation \$200 (\$100 x 2)
 - Street cut \$500 (\$250 x 2)



Challenges – Street Cut

- Time Extension Abuse
 - Extend unnecessarily at permit initiation
 - Misclassification as “emergency work”
 - Need justification for extension/emergency
 - Required now
 - Require heightened oversight/judgement by R/W Manager

- Winter Cuts
 - How to handle when asphalt plants are closed
 - Typically Mid-December thru Early March
 - Require heightened coordination by utilities to avoid
 - May require judgement calls by R/W Manager

Questions?

