

Street Cut Regulations and Procedures



CHARLOTTESM

TRANSPORTATION

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2	10/01/2017	Removed option to pay degradation fee for streets between 2 and 5 years old	6
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Introduction

This document defines the Charlotte Department of Transportation (CDOT) Street Maintenance Division (SMD) policy, specifications and procedures, necessary to cut asphalt or concrete pavements, sidewalks curb and gutter. These cuts are commonly made to excavate for utilities and restore infrastructure within Charlotte’s jurisdictional limits (“excavate for utilities” includes utility location excavations, potholing and boring for utility locations).

Agents involved with projects that require a cut to be made in the transportation infrastructure must have ready access to a copy of this document for reference at all times when working in the right-of-way.

SMD expects the project owner to ensure that all agents, working on their behalf, understand and follow these policies and procedures.

Work not performed in accordance with these specifications may result in:

- Immediate work stoppage and potential removal from the right-of-way.
- Removal from the SMD approved certification list.
- Denial of future City permits.
- Denial of restoration services.
- Mandatory re-training to restore the right to perform work in Charlotte’s right-of-way.

Adherence to this policy, issuance of a Street Cut Permit and payment of fees is required for all excavation, drilling or boring work performed within any rights-of-way within the City of Charlotte corporate limits.

Permitting

Legal Authority

Chapter 19, Article XIII of the City of Charlotte Code of Ordinances establishes the framework for the issuance of a Street Cut Permit. Specifically;

Sec. 19-339. - Utility pavement/sidewalk cuts.

(a)The key business executive of the department of transportation is authorized to adopt, amend, and repeal standards and provisions governing the making, excavation, filling, repair, and closing of a utility pavement/sidewalk cut. The standards and provisions may provide that certain activities may be undertaken only in accordance with a utility work permit issued pursuant to such standards and provisions. The standards and provisions shall also address emergency situations and activities.

(b)It shall be unlawful to make, excavate, fill, repair, or close a utility pavement cut in violation of the standards and provisions adopted pursuant to subsection (a).

(c)It shall be unlawful to make, excavate, fill, repair, or close a utility pavement cut without a utility work permit if the standards and provisions adopted pursuant to subsection (a) require a permit for such activities.

(Ord. No. 3730, § 1, 10-22-2007)

Sec. 19-342. - Fees and deposits.

Permit and other regulatory and non-regulatory use fees, including but not limited to utility right-of-way master permit fees, utility work permit fees, street cut patch fees, and pavement degradation fees, to be charged for the governmental activities undertaken pursuant to this division shall be established and revised in accordance with section 2-1.

A cash deposit, letter of credit or warranty bond may be required in an amount prescribed by the city to guarantee the completion of work in accordance with all rules and regulations.

(Ord. No. 3730, § 1, 10-22-2007)

Issuance of a Street Cut Permit does not eliminate the requirements or adherence to any other necessary City Permit or Ordinance.

Street Cut Permit

Before any contractor or utility is allowed to cut or excavate asphalt or concrete in the right-of-way, they shall obtain an individual street cut permit 48 hours prior to excavation for each of the following:

- Asphalt streets
- Concrete Streets
- Asphalt/Concrete curb and gutter
- Sidewalks
- Driveways
- Medians and planting strips

Failure to secure a street cut permit prior to excavating will result in fines and penalties up to and including work stoppage.

Street Cut Permit Process

At least 48 hours prior to excavation a certified street cut contractor (for certification requirements see Section VI) must contact the Street Maintenance Division of the Charlotte Department of Transportation and provide the following information.

- Encroachment number/Right-of-Way Use Permit number, as required (See *Miscellaneous Items*)
- Complete street name
- Street Block number
- Nearest Cross street
- Date the cut will be performed
- Requesting Utility or Company's name and job/work-order number
- Certified street cut contractor performing the work – and after hours telephone number
- Certification number
- Telephone contact for utility agent – field or cell number
- Company address and office phone number
- Billing contact person or responsible party for payment
- Cut type
- Estimated size of the cut
- Prior Permit Number (if applicable) for this location
- Contact name and telephone number of Company representative that individual is working for, or supervisor
- Cut Restoration method (contractor or City forces)
- Zone Number for CLT Water cuts

Upon receipt of the information, a unique Street Cut permit will be issued to qualified contractors. This permit is valid for 48 hours after the anticipated date of the cut. Street Cut Permits may be requested up to 6 months prior to excavation activities in conjunction with a valid ROW Use permit. Permit holders are required to notify CDOT 48 hours prior to the commencement of construction activities.

There will be a \$50 processing fee for permits issued and not closed within the 48 hour period.

Cut Specifications and Restoration

General Requirements

- All street and curb & gutter cuts (asphalt or concrete) in the rights-of-way must be completed and patched with asphalt within 24 hours of excavation, unless prior approval has been obtained from SMD.
- Any waste generated during the excavation process shall be disposed of following all applicable City and County ordinances. Under no circumstances is debris to be left in the right of way.
- If no work has begun within 48 hours after the date work is scheduled, the street cut permit will be automatically voided. Another permit must be obtained before work can commence.
- The certified street cut contractor's presence is required on site during all phases of construction until inspection has been approved and passed by SMD.
- Any work involving excavations over 100 linear feet in pavement, curb and sidewalk rights-of-way (excluding ditches) require the scheduling of a pre-construction meeting 10 days prior to the issuance of a Street Cut Permit.
- SMD reserves the right to postpone, inspect and/or require additional information on any work performed in City rights-of-way.
- SMD requires permanent restoration of concrete driveways, sidewalk, and curb within 30 days.
- Written notice shall be provided to adjacent property owners stating when the work will be done and a contact number except during emergency situations to repair or restore utility services.
- Controlled Low Strength Material (Flowable Fill) will have a psi range no greater than 250 when used within the top 9 ½ inches of the surface of thoroughfares and 6 ½ inches on local streets. When used to encapsulate utilities or serve as backfill at depths greater than 9 ½ inches, contractors should utilize the mix designs specified by the utility engineer.

Throughout the construction process, all equipment and materials must be operated and stored in a safe and orderly manner taking into strict consideration pedestrian traffic. Without prior approval by the City of Charlotte provisions should be made to store materials and equipment outside of the R.O.W. overnight or when work is expected to take more than 1 day to complete.

The Utility or agent is responsible for the protection of existing sidewalk, streets, curb, lighting, planters, trees, and any other structure that is beyond the construction limits. Any method or means of such protection is totally at the Utility or agent's expense.

Asphalt Infrastructure Cut & Restoration Requirements

Streets

- Minimum excavation/cut size is 2 ft. x 2 ft.
 - Cuts with a total length of more than 4 feet have a minimum width requirement of 4 ft.
- Edges must be squared and smooth.
- Saw cutting is the preferred method for cutting the pavement with appropriate dust control.
- Cuts should be parallel or perpendicular to the travel lane as much as practical. Final patches are required to be made perpendicular or parallel to the travel lane.
- Any structures in the roadway will require a 12 inch collar of 3600 psi concrete will be placed around the structure.
- Subgrade backfill material shall be ABC stone (Crusher Run) unless other material is approved for use by Street Maintenance Division Inspectors.
- Thoroughfare streets require a subgrade backfill depth to 9½ inches below finished pavement grade.
- Residential streets require a subgrade backfill depth to 6½ inches below finished pavement grade.
- Intermediate and surface course asphalt materials must adhere to the following NCDOT mix designs
 - Intermediate Course (if used) Type I19.0B
 - Surface Course (residential) Type SF9.5A
 - Surface Course (thoroughfare) Type S9.5B
- Residential surface course asphalt placed within the cut should be compacted to 90%
- All other asphalt materials placed within the cut should be compacted to 92%.
- Manhole structures in the roadway will require a 12 inch collar of 3600 psi concrete to be placed around the structure.
- See Appendix B for additional pavement requirements.
- Cuts in streets paved within the past 5 years require additional restoration as described below and shown in Appendix E.
 - Pavements less than 2 years old
 - Cut will be patched per standard Street Cut process and within 60 days an area equal to 1 lane width and a length of 50 feet or to the nearest joint/intersection measured from the edges of the cut will be milled and resurfaced using plant mix asphalt at a depth of 1.5”.
 - Weather, contractor availability and other factors may require additional time for the completion of resurfacing. Street Maintenance Utility Coordinators should be notified of any delays in meeting the 60 day requirement.
 - Pavements between 2 years and 5 years old
 - Cut will be patched per standard Street Cut process and within 60 days an area equal to 1 lane width and a length of 5 feet or the nearest joint/intersection measured from the edges of the cut will be milled and resurfaced using plant mix asphalt at a depth of 1.5”.
 - Weather, contractor availability and other factors may require additional time for the completion of resurfacing. Street Maintenance Utility Coordinators should be notified of any delays in meeting the 60 day requirement.

Driveways (asphalt type)

- Minimum excavation/cut size is 2 ft. x 2 ft.
- Edges must be squared and smooth.
- Saw cutting is the preferred method with appropriate dust control.
- Subgrade backfill material shall be ABC stone (Crusher Run) unless other material is approved for use by Street Maintenance Division Inspectors.
- Subgrade backfill depth must be 8½ inches below finished pavement grade on Type III driveways.
- Subgrade backfill depth must be 6 inches below finished pavement grade on Type II driveways.
- Backfill material shall be applied in lifts no more than 6 inches and compacted to 95% density.
- Intermediate and surface course asphalt materials must adhere to the following NCDOT mix designs
 - Intermediate Course (if used) Type I19.0B
 - Surface Course (residential) Type SF9.5A
 - Surface Course (commercial) Type S9.5B
- Residential surface course asphalt should be compacted to 90%
- All other asphalt materials should be compacted to 92%
- Asphalt materials for driveways should be constructed according to the same specifications as found in the section above.

Curb (asphalt type)

- Minimum cut length is 5 feet.
- Edges must be squared and smooth.
- Saw cutting is the preferred method with appropriate dust control.
- Intermediate and surface course asphalt materials must adhere to the following NCDOT mix designs
 - Intermediate Course (if used) Type I19.0B
 - Surface Course (residential) Type SF9.5A
 - Surface Course (commercial) Type S9.5B
- Restoration of asphalt curb must be coordinated with SMD staff.

Concrete Infrastructure Cut & Restoration Requirements

Streets

- Minimum excavation/cut size 4 ft. x 4 ft.
- Edges must be squared and smooth.
- Saw cutting is required on concrete streets with appropriate dust control.
- Subgrade backfill material shall be ABC stone (Crusher Run) unless other material is approved for use by Street Maintenance Division Inspectors.
- Thoroughfare streets require a subgrade backfill depth of 9½ inches below finished pavement grade.
- Residential streets require a subgrade backfill depth of 6½ inches below finished pavement grade.
- Adequate space of 12 inches or more will be left around all structures to allow for proper

compaction of replaced material.

- Manhole structures in the roadway will require a 12 inch collar of 4500 psi concrete to be placed around the structure.
- If the contractor is performing the restoration, all patching will be completed within the same day material is removed unless work is ongoing.
- If a contractor elects to patch the street with concrete all work must conform to the requirements established in the North Carolina Department of Transportation *Standard Specifications for Roads and Structures*. Information regarding concrete streets can be found in Division 7 of the manual.
- Contractors may elect to patch concrete streets with plant mix asphalt as specified under the Asphalt Infrastructure Cut & Restoration Requirements, however a fee may be charged for the restoration of the concrete surface. This fee will be charged to the project owner to facilitate the resurfacing or restoration of the roadway to its original condition. Notice of a restoration fee will be communicated prior to restoration activities.
- All concrete shall be properly cured prior to asphalt placement. All work in a concrete street is required to be inspected by an SMD Inspector or supervisor prior to asphalt placement.

Sidewalks

- A 36" clear path must be maintained for pedestrians at all times. If this path cannot be maintained adjacent to the work area, the sidewalk must be closed using traffic control devices as specified in the WATCH handbook.
- Saw cutting with appropriate dust control is required.
- Minimum cut size is dependent on the width of the sidewalk and spacing of expansion joints. As a general rule, cuts in sidewalk shall be no smaller than an entire panel.
 - In situations where sidewalk panels are abnormally large or lack standard expansion joints, consultation with SMD staff should be sought to determine cut size.
- Partial or full excavation sections must be temporarily backfilled with compacted ABC Stone (Crusher Run) if SMD is to perform the permanent repair. Backfilled areas must be traversable.
- If the repair is performed by the utility or utility contractor, full section replacement with like material is to be performed (joint to joint replacement) in accordance with the following design standards
 - Charlotte-Mecklenburg Land Development Standards
 - NCDOT Standard Specifications
- Permanent repairs must be performed within 30 days.
- All structures within the construction zone must be installed at proper grade (i.e., valves, boxes, clean outs, etc.).
 - Pull boxes, manhole lids and hand holes shall be flush and centered within a single section of sidewalk.
 - Vertical surface displacement shall be no more than ½" maximum and that those between ¼" and ½" shall be beveled with a slope of no more than 50%.
- Structures not properly installed will require reinstallation.

Driveways (concrete type)

- Minimum excavation/cut size 4 ft. x 4 ft.
- Edges must be squared and smooth.
- Saw cutting is required with appropriate dust control.

- Subgrade backfill depth must be 8½ inches below finished pavement grade on Type III driveways.
- Subgrade backfill depth must be 6 inches below finished pavement grade on Type II driveways.
- Driveway cuts may be temporarily filled with asphalt to provide vehicular access.
- Permanent repairs must be performed within 30 days.
- All structures within the construction zone must be installed at proper grade (i.e., valves, boxes, clean outs, etc.).
 - All structures within the construction zone must be installed at proper grade (i.e., valves, boxes, clean outs, etc.).
 - Pull boxes, manhole lids and hand holes shall be flush and centered within a signal section of driveway.
 - Vertical surface displacement shall be no more than ½" maximum and that those between ¼" and ½" shall be beveled with a slope of no more than 50%
- Structures not properly installed will require reinstallation.

Curb and Gutter

- Curb and gutter cuts will be made from the nearest expansion joint to the next nearest expansion joint, i.e. whole section replacement.
- Saw cutting with appropriate dust control is required.
- When possible, contractors should limit cutting adjacent roadway or sidewalk infrastructure.
- If the repair is performed by the utility or utility contractor, full section replacement with like material is to be performed (joint to joint replacement) in accordance with the following design standards
 - Charlotte-Mecklenburg Land Development Standards
 - NCDOT Standard Specifications
- Permanent repairs must be performed within 30 days.

Temporary Patch Requirements

Temporary patches are cuts that must be reopened in order to gain access to unfinished work. Temporary patches must be made permanent within 30 days of the initial cut unless prior approval is received from the Street Superintendent. Temporary patches in place longer than 30 days will be repaired by SMD forces and the project owner will be billed for the restoration work.

Asphalt Street Temporary Patch

- Subgrade backfill depth must be no less than 6 inches below finished pavement grade.
- Asphalt materials should be compacted to a minimum 90% to prevent rutting.
- Stone is not allowed to serve as a temporary fill material.

Driveway Temporary Patch

- Subgrade backfill depth must be no less than 6 inches below finished pavement grade.
- Asphalt materials should be compacted to a minimum 90% to prevent rutting.
- Compacted stone is allowed to serve as a temporary fill material.

Concrete Street

- Subgrade backfill depth must be no less than 9.5 inches below finished pavement grade.
- Asphalt materials should be compacted to a minimum 90% to prevent rutting.
- Stone is not allowed to serve as a temporary fill material.

Curb and Gutter

- Curb and gutter should be backfilled with compacted ABC stone and temporarily patched with asphalt.

Sidewalks

- The following materials may be placed temporarily provided the surface is traversable or detours have been established.
 - Asphalt
 - ABC Stone or other suitable stone material that can be sufficiently compacted to provide a smooth travel surface.
- Accessible ramps will be patched with asphalt. Care should be exercised to maintain acceptable slopes and transitions.
- Plywood, dirt, mulch or plastic mats shall not be used to temporarily patch a sidewalk excavation.

Steel Plate Requirements

Steel plates may be utilized to temporarily cover cuts during emergency or lengthy repair situations. The use of steel plates has the following requirements;

- SMD must be notified when a steel plate will be utilized.
- Plates shall be Grade A36 steel with a minimum thickness of 1”.
- Plates should be marked with the owners name or other identifier.
- Plates must be tacked down on all 4 corners with hot mix asphalt and a ramp provided to reduce the transition from pavement onto the plate.
- Plates remaining in the roadway for more than 7 days must be countersunk to allow for a smooth transition.
 - Between December and March, SMD reserves the right to require countersinking of all plates regardless of the duration of the work.
- In cases of emergency, each Utility and their utility agents are required to readily provide secured plates to shore up the excavation.

Utility Locate Excavations (Potholing) Requirements

Utility locating or potholing within the street Rights Of Way requires the issuance of a street cut permit and adherence to all other restoration standards, even if the restored area will be removed during future construction, for both concrete and asphalt infrastructure with exceptions and other standards

noted below.

Asphalt & Concrete Pavements

- Approved construction methods
 - Vacuum Excavation
 - Air Excavation using high velocity air to loosen and break up soil is approved. Excavated materials that are free of excess moisture may be re-used for backfill so long as appropriate compaction is maintained through-out the excavation.
 - Water Excavation using high pressure water to loosen and break up soil is approved. No excavated materials will be used for back fill. Flowable fill shall be used as the backfill material up to a depth of 9½ inches of the road surface on thoroughfare streets and 6½ inches on residential streets is required for backfill.
 - Hand Digging
 - Excavation using hand tools is approved. Excavated materials that are free of excess moisture may be re-used for backfill so long as appropriate compaction is maintained through-out the excavation.
 - Equipment Excavation
 - Excavation of potholes using backhoes or excavators is approved. Edges of excavation must be saw-cut square prior to backfill. Excavated materials that are free of excess moisture may be re-used for backfill so long as appropriate compaction is maintained through-out the excavation.
- Restoration Requirements
 - All cuts greater than 6” in diameter extending into the subgrade must be benched a minimum of 12 inches prior to placement of final surface to prevent settling of the cut.
 - Final patch size of all utility locates greater than 6” in diameter will be 2’X2’ or larger.

Sidewalks and other facilities

- Approved construction methods
 - All methods approved for streets can be used for sidewalks and other facilities.
- Restoration Requirements
 - Potholes located sidewalk panels require full panel replacement.

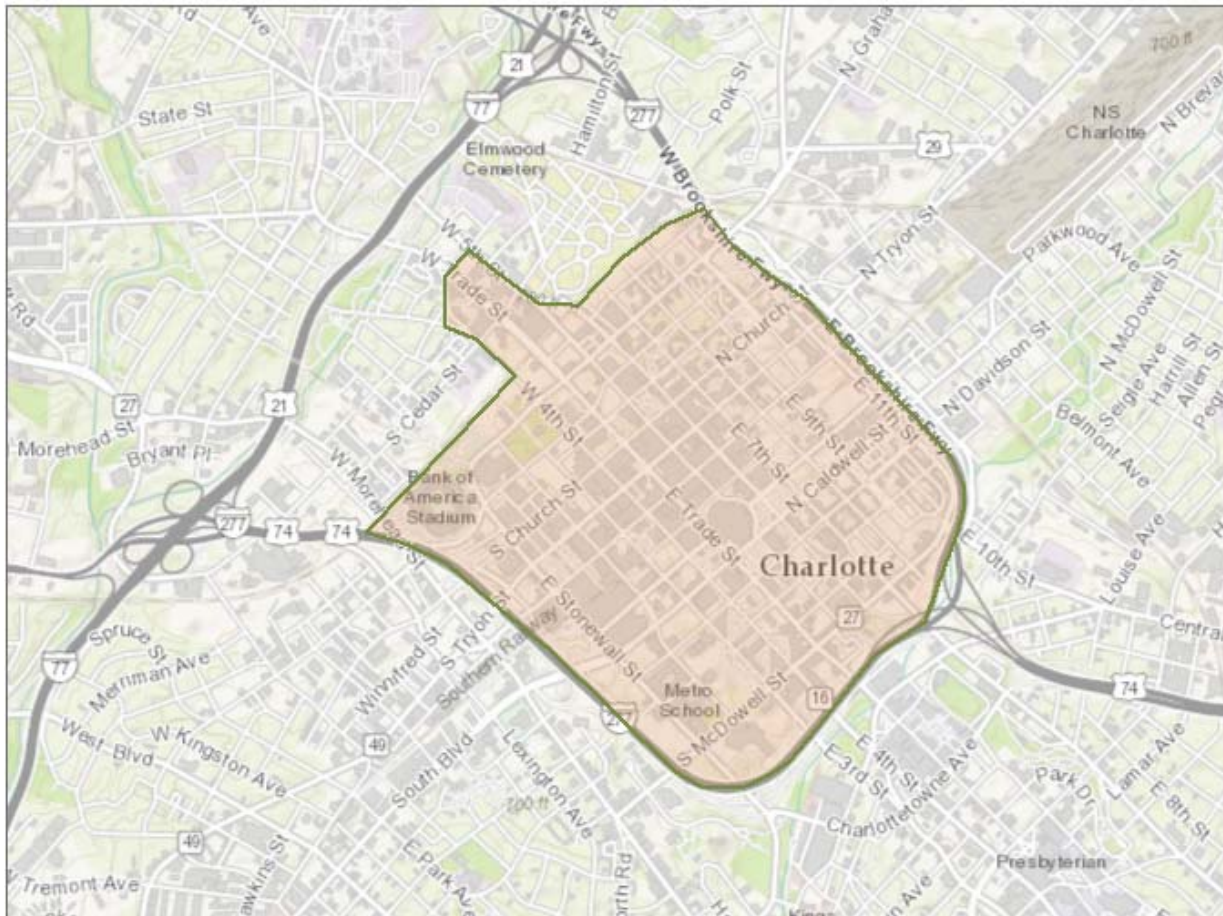
Micro-Trenching Requirements

Reserved for future use

Central Business District & Specialty Items

Central Business District (Uptown)

The Central Business District (shown below) of the City of Charlotte requires special coordination prior to transportation infrastructure cuts. Due to the number of events, residents and daily workers within the I-277 loop, the Street Maintenance Division has established additional requirements for working the area indicated on the map.



City of Charlotte, State of North Carolina DOT, Esri, HERE, DeLorme, INCREMENT P, Intermap, USGS, METI/NASA, EPA, USDA

Prior to planned excavation work in Uptown, it is recommended that contractors consult with the Northwest District Utility Coordinator or Tryon Mall Crew Chief.

Sidewalk cuts within Uptown must be repaired or made passable by 4:00PM on the day that the cut was made. Sidewalk cuts that cannot be made passable by 4:00PM require the use of steel plates or other methods to ensure pedestrian access. A 36" clear path must be maintained for pedestrians at all times. If this path cannot be maintained adjacent to the work area, the sidewalk must be closed using traffic

control devices as specified in the WATCH handbook.

Specialty Items

The City of Charlotte maintains and allows non-standard items within its ROW on a case by case basis. These items require additional coordination and treatment when being excavated for utility or street repairs. Consultation with District Utility Coordinators is recommended any time special materials will be impacted.

- Brick Pavers
 - All brick pavers removed by contractor forces should be stored as near as practical to the excavation location but outside the Right of Way.
 - Substitution of brick paver materials with concrete or asphalt is not permitted.
- Granite Curb
 - Contractors shall contact the District Utility Coordinator prior to the removal of granite curb within the City.
 - District Utility Coordinators will determine whether the curb will be replaced with standard concrete curb and gutter or if the granite will be reset.
 - All granite curbing within the ROW should be assumed to be the property of the City of Charlotte and is not to be disposed of.
- Other Items
 - SMD does not maintain or restore stamped concrete or asphalt, textured finishes, and most colored finishes. However, a Street Cut Permit is STILL required prior to work being performed.

For all non-City maintained materials, Contractors or project owners shall contact appropriate encroachment holder for installment specifications, approval, and related costs. Replacement of specialty materials is the responsibility of the project owner.

Restoration Services

Contractors have the option to request restoration of cuts made within the right of way by City Forces. In order to provide the highest level of service to both the contractor and the residents of Charlotte the following rules and regulations apply to restoration services provided by City forces. Restoration services are provided for a fee.

Restoration Requirements

- Minimum cut size requirement for SMD restoration is 4'X4'.
- Maximum cut size for standard SMD restoration is 6 tons of hot mix asphalt.
 - Cuts larger than 6 tons require advance notice and coordination with District Utility Coordinators.
- Street Maintenance is able to provide restoration services to most customers during normal asphalt plant operating hours. SMD reserves the right to refuse service to contractors after-hours and on weekends due to limited asphalt availability.
- Contractor must have proper compaction of base material in the cut when SMD forces arrive.
- Utilities must specify, at the time of the Street Cut Permit request, whether they will restore the cut or have the Street Maintenance Division repair the cut.
- During inclement weather, contractors are required to call and verify with SMD the availability of materials for restoration.
- Scheduled excavations requiring patching by SMD forces on weekends, require a permit no later than 12:00 Noon on Thursday prior to the weekend.
- Scheduled excavations on holidays requiring patching by SMD forces will require a permit no later than 10 a.m. on the last working day prior to the holiday. (This excludes emergency repairs.)
- A \$150 administrative fee will be assessed for any cut not meeting these guidelines.

Restoration Fees

Fees for restoration services are updated and published annually. These unit costs are readily available on the Transportation website. Restoration services outside the scope of standard and typical work may be billed on an hourly basis.

Invoicing for Restoration

- Charges for all SMD restoration services will be invoiced on a monthly basis to the appropriate encroachment holder or utility owner in accordance with work and the cut restoration fee schedule.
- The costs and fees published in this document cover only those anticipated usual and customary repairs as required and specified by the SMD. If any additional work is required by SMD or their contracted agency, the cost will be included with the usual and customary charges to the encroachment holder.
- SMD reserves the right to charge for non-routine restoration. For example, restoration involving large amounts of material, labor, equipment, specialty materials, and multiple functions will be

based on the actual cost of restoration plus overhead.

- SMD expects the encroachment holder to be responsible and to pay for all restoration work and/or associated damage and administrative and processing fees caused by them or their agents.
- Costs for permanent restoration of concrete may be estimated and invoiced in conjunction with the temporary repair. Estimate adjustments, if needed, will be made upon permanent work completion. All other repairs will be invoiced as work occurs.
- SMD reserves the right to contract any restoration as necessary. All restoration will be billed to the Utility Company or Agency, or group of Utility Companies or Agencies, as appropriate for the total cost of the restoration at the time of temporary restoration.
- Any damage associated with the installation/repair of two or more utilities, simultaneously placed, restoration costs will be split equally among the utilities involved.
- Damage of any other utility or street infrastructure by a Utility or agent will be the responsibility of the encroachment holder or Utility Agency requiring the work to be performed.
- Delays to City forces of longer than 15 minutes when providing cut restoration services may result in a \$150 administrative fee.
- Invoice payments are due 30 days from date of invoice. Companies with outstanding invoices 60 days or older are subject to not obtaining excavation permits.
- Disputes over individual charges are not considered grounds for withholding payment of full invoice.

Excavation Certification

Beginning January 2005, the CDOT Street Maintenance Division requires that any Utility Company, Contractor, Developer, or agents thereof engaged in utility excavation in Charlotte street rights-of-way must ensure that a CDOT/SMD excavation certified company representative be present on the job site. Excavation certification requires a utility crew foreman/lead person to attend a 3-hour class to become familiar with these policies/specifications and CDOT/SMD's procedures for excavating in Charlotte streets.

Certification Classes

Certification classes are offered at least every 90 days or more frequently depending on demand. Certification classes cost \$60.00 per person and are required for foremen or lead workers associated with making cuts in street infrastructure. Class participants will gain knowledge in the policies and procedures for making cuts within the street infrastructure within the City of Charlotte as well as industry best practices for compaction and restoration of cuts.

To register for certification classes a completed registration form and method of payment (invoice, check or cash) must be submitted. A copy of the registration form is included in Appendix B.

Successful completion of the certification class will result in the issuance of a Utility Cut Certification card and unique ID associated with the permit holder. Permit holders are included on the Street Maintenance Division approved Utility Cut Certification list.

Only individuals certified and on the approved list before may obtain a Street Cut Permit.

Certification Maintenance & Renewals

Utility Companies or agents are to provide SMD any changes and/or updates upon termination or change of status of any certified employees. The Utility Agent shall make arrangements for certification of new employees immediately to continue acquiring Street Cut Permits. A Utility Company or Agent cannot obtain a Street Cut Permit under a terminated employee's certification.

Renewal will occur each January 1st upon continued compliance and no violations. There is no cost associated for renewal.

Compliance and Violations

Adherence to the standards and specifications is required to provide adequately maintained transportation infrastructure to the residents and visitors of the City. Requests for modifications or exceptions related to the standards and specifications should be provided prior to any cut being made.

Schedule of Offences

- First failure to comply with City specifications will result in a written warning and possible probation depending on the severity of the offence.
- Second failure to comply will result in probation of up to 1 year and the individual being retrained with notification to the project owner stating the reason for the probation and

stipulations for removal from probationary status.

- Third failure to comply will result in potential permanent revocation of certification as determined by a Review Board comprised of staff from the Charlotte Department of Transportation, Charlotte Water, Contractors and other outside utility agents.

A reissued Certificate will be posted as a Probationary Status that will revert to Compliance and Good Standing after one year if all requirements of the Specifications and Fee Schedule are met for the probationary period.

Appeals

A notice of violation or revocation of certification may be appealed in writing within ten (10) days from the date of notification. Failure to file a notice of appeal within this time period shall constitute a waiver of the right to contest the action. A hearing officer through a quasi-judicial process shall hear appeals. A hearing officer's decision is subject to further review in Superior Court of Mecklenburg County by proceedings in the nature of certiorari. Any petition for writ of certiorari shall be filed with the Clerk of Superior Court within thirty (30) days after notification of the hearing officer's decision.

Examples of Violations and actions of non-compliance

- Failure to dig out a temporary repair within the required 45 days.
- Failure to secure a permit for any type excavation that requires restoration.
- Failure to utilize and maintain traffic control until restoration is complete.
- Poor compaction, inappropriate or inadequate material.
- Non-compliance to size, shape, and depth requirements.
- Damaging adjoining structures and/or right-of-way and not repairing promptly or properly.
- Improper, unsuitable, or unapproved usage of plates, barricades, or other traffic restricting items.
- Public complaints that can be verified.
- Failure to adhere to time restrictions for daily work zone.
- Failure to maintain a safe work zone.
- Failure to report that a cut was made.
- No certified person present throughout the entire job.

Miscellaneous Items

Applicable Construction Standards

All restoration work for transportation infrastructure shall be performed according to the latest versions of the Charlotte Land Development Standards Manual or the NCDOT Standard Specifications. These documents are readily accessible via the internet.

Storm Water Pollution Prevention

All work conducted within the ROW must adhere to City ordinances related to the protection of water quality. Specific ordinances related to Storm Water can be found in Chapter 18 of the Code of Ordinances for the City of Charlotte. Contractors must take steps to prevent the illicit discharge and disposal of materials into the storm water system. For more information regarding storm water pollution please visit

<http://charlottenc.gov/StormWater/SurfaceWaterQuality/Pages/PollutionPrevention.aspx>

Work in the Right of Way

All work in the ROW of the City of Charlotte requires the issuance of a Right of Way Work Permit. To obtain a permit, contact the ROW Management Group via email at rowuse@ci.charlotte.nc.us

Additional information can be found at the following website,

<http://charlottenc.gov/Transportation/Permits/Pages/Utilities.aspx>

This permit is also required on State maintained streets inside the Central Business District limits.

Call Before You Dig

North Carolina law requires positive location of underground location of utilities before excavation can occur. To request utility locates please call 811. For more information including electronic submission of locate requests please visit www.nc811.org.

Indemnification

To the fullest extent permitted by law, the Utility Company shall indemnify and hold harmless the City, its agents and employees from and against all claims, damages, losses, and expenses (including attorneys' fees) arising out of or resulting from the performance of their work.

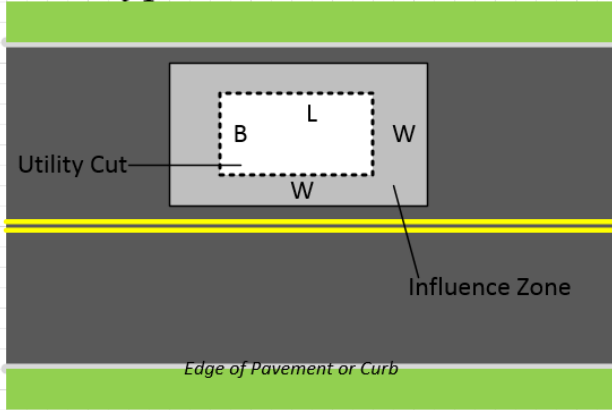
Since the excavation is being requested by and made for the Utility, such company is responsible for paying any claims for damages arising from the excavation. The company is expected to be liable in cases of accidents related to the excavation and protecting the work and/or work area in a safe manner.

APPENDICES

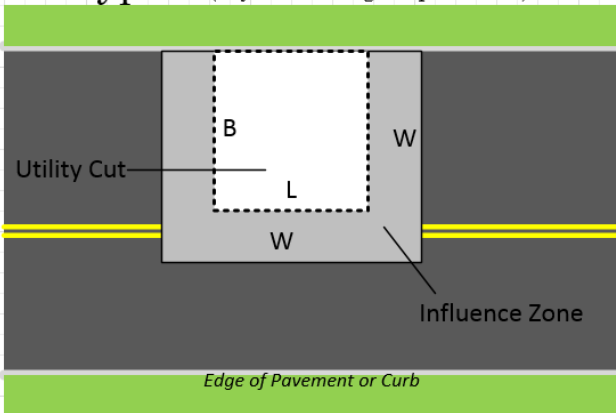
Appendix A

Cut Types

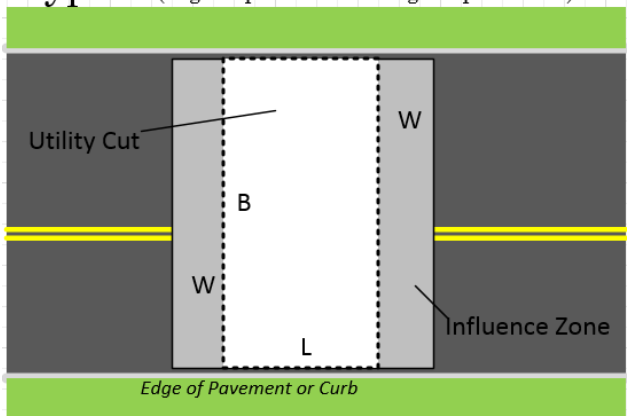
Type 1 (center of the lane or road)



Type 2 (adjacent to edge of pavement)

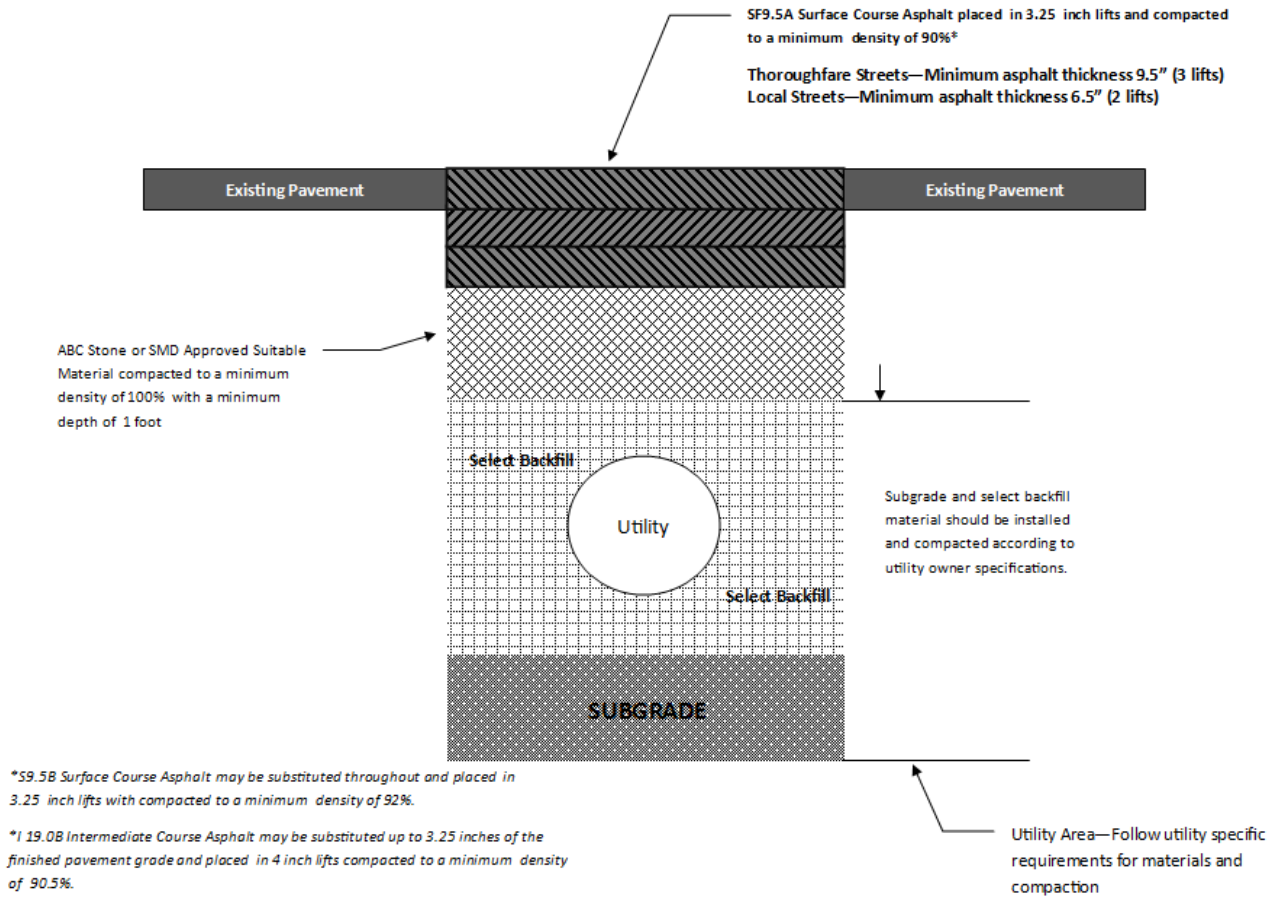


Type 3 (edge of pavement to edge of pavement)



Appendix B

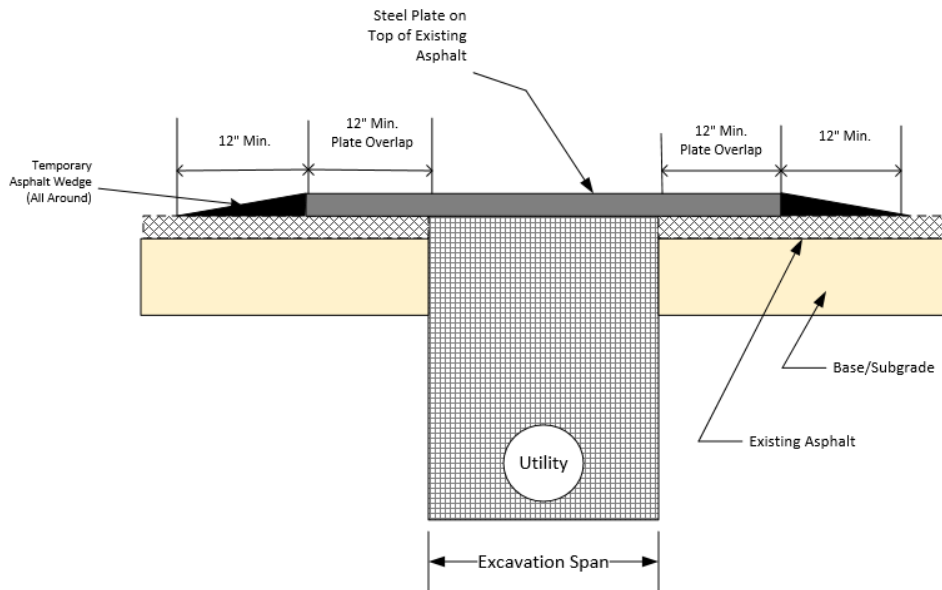
Street Cut Restoration Details



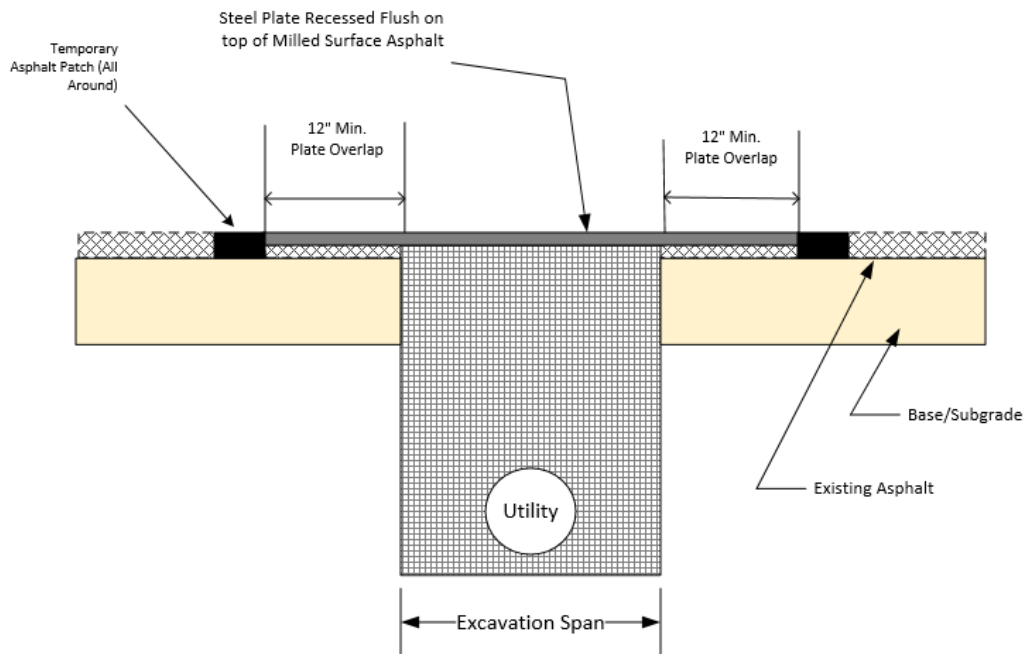
Appendix C

Steel Plate Details

Temporary Steel Plate Details – Surface Mount



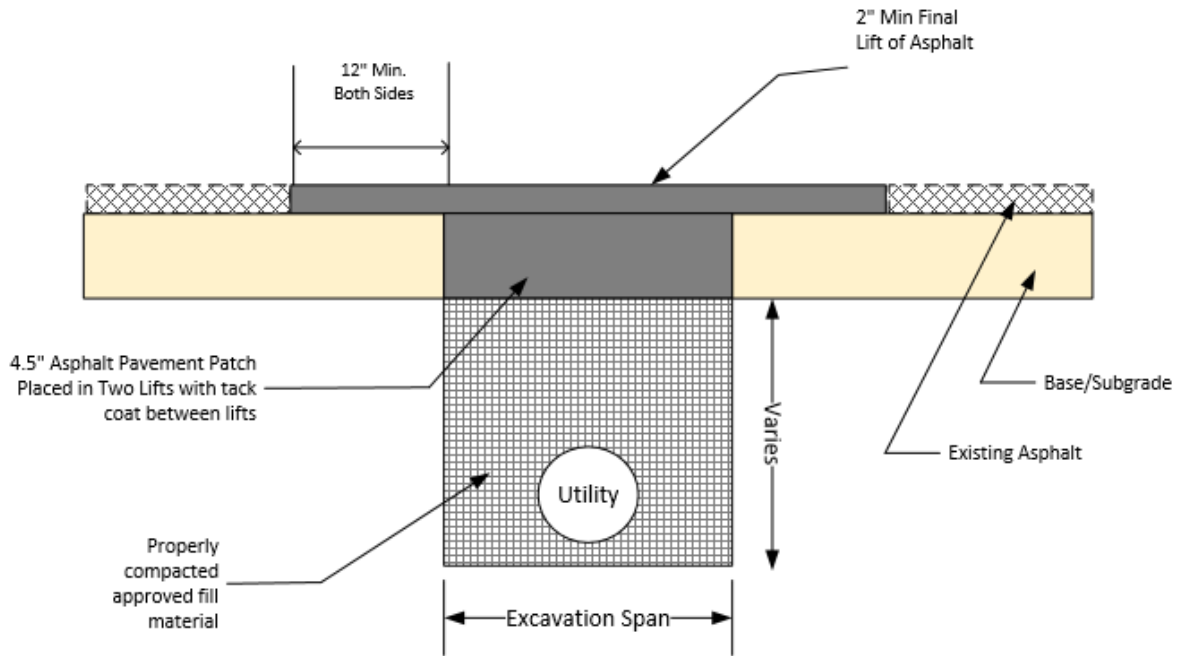
Temporary Steel Plate Details – Flush Mount



Appendix D

Utility Locate Cut Benching Detail

Benched Cut Restoration Detail For Use in Utility Locate (Pothole) Excavations

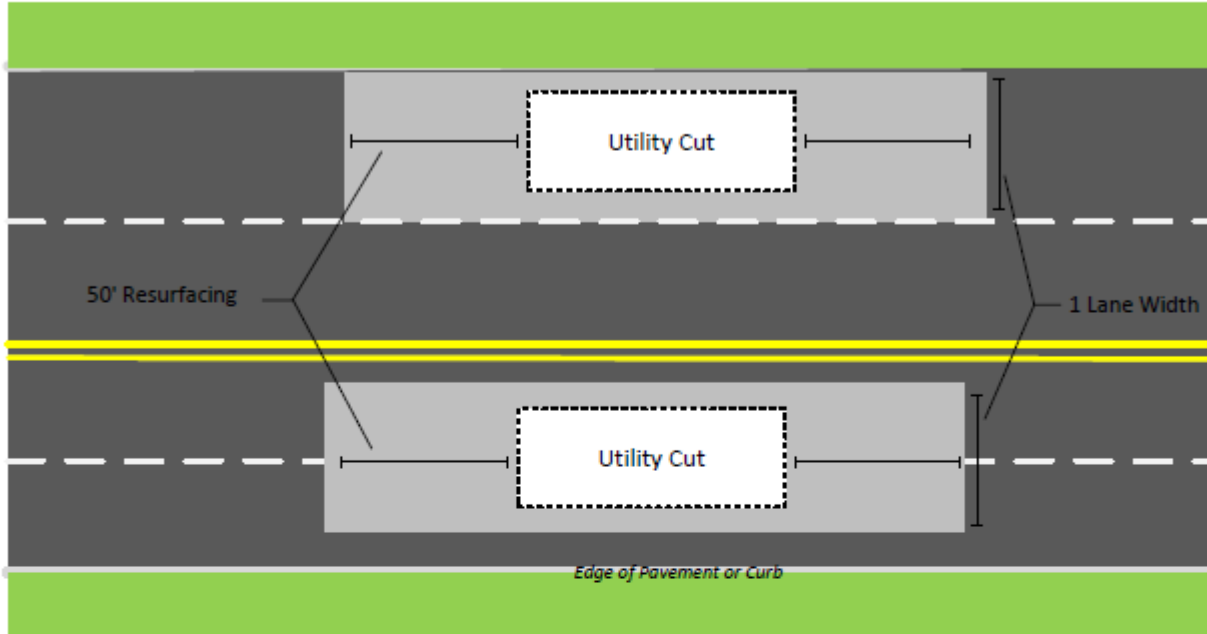


Appendix E

Newly Paved Street Restoration Requirements

Pavements less than 2 years old

Streets paved within the past 2 years require milling and resurfacing of an area equal to one lane width and 50 feet in length from the edges of the cut.



Pavements between 2 and 5 years old

Streets paved between 2 and 5 years require milling and resurfacing of an area equal to one lane width and 5 feet in length from the edges of the cut.

