

AN ORDINANCE OF THE TOWN OF BARRE, VERMONT
AMENDING CHAPTER 6, SECTIONS 6-21 AND 6-22,
AND AMENDING CHAPTER 8, SECTIONS 8-26 AND 8-112
REGARDING WORK IN TOWN HIGHWAY RIGHTS-OF-WAY
AND UTILITY CONNECTIONS

WHEREAS, to protect public assets the Town regulates work in Town road rights-of-way (r.o.w.) and utility connections, including work done in cold weather; and

WHEREAS, the Selectboard wishes to balance the Town's need to protect public assets with the public's need for late season utility connections or other work in a Town road r.o.w.; and

WHEREAS, the Selectboard wishes to have uniform policy for water and sewer connections and general work in a road r.o.w.

NOW, THEREFORE, BE IT ORDAINED BY THE BARRE TOWN SELECTBOARD THAT:

Section 1.

The Selectboard of the Town of Barre hereby ordains that Chapter 6, Section 6-21 of the Barre Town Code is hereby amended to read as follows:

Sec. 6-21. Permit for working in ~~or adjacent to~~ town highway rights-of-way.

The permit form for working in ~~or adjacent to~~ town highway rights-of-way shall be as follows:

NOTICE: This permit is issued in accordance with Title 19, Section 43, V.S.A. relative to all highways within the control and jurisdiction of the Town of Barre. The issuance of this permit does not release the applicant from any requirements of statutes, ordinances, rules and regulations administered by other governmental agencies. The permit will be effective upon compliance with such of these requirements as are applicable and continue in effect for as long as the present land use continues. Any change from the present land use will require a new permit. This permit is issued subject to the directions and conditions contained herein and on the reverse of this form and any attachments hereto and covers only the work described in this application and then only when the work is performed as directed. Violations are subject to the penalties set forth in section 37(j) of the Charter.

Permission is hereby requested by _____ to perform the work described as follows, on the highway known as _____, the location of this work being _____. Description of the work to be performed (attach sketch) _____

Permit to extend from _____, 20__ to _____, 20__.

The undersigned, in consideration of the approval of this permit, having duly read all the contents herein, expressly agrees to the directions and to the restrictions and conditions listed below and printed on the reverse side of this sheet.

Witness _____ Permit Holder _____
Witness _____ By _____
Address _____

_____Application to Complete_____

APPROVAL

This permit is issued with the following directions, restrictions and conditions, and covers only the work described hereinafter, and then only when the work described is performed as directed, and subject to the following special conditions: _____

Dated at _____ this _____ day of _____, 19 20 ____.

~~Town Manager~~ Town Engineer
By _____

ADDITIONAL CONDITIONS

No work shall be done under this permit until the party or parties to whom it is granted shall have communicated with and received instructions from the ~~Office of the Town Manager~~ town engineer. No work involving excavation in a Town highway right-of-way shall be allowed between November 1 and April 15, inclusive, except if during November the Town Engineer determines weather conditions are favorable for excavating, backfilling and compacting, he/she may allow work in the road right-of-way with the following conditions: 1) the town engineer or other qualified town representative must be present during excavation, backfilling, and compaction; 2) no work will be permitted during a snow or ice storm; 3) the applicant must restore trenches the next Spring and if required by the town engineer re-excavate, backfill, and compact the trench; 4) the applicant must comply with the engineer's orders for soil erosion, seeding and mulching, including returning the next Spring to seed and mulch.

Section 2.

The Selectboard of the Town of Barre hereby ordains that Chapter 6, Section 6-22 of the Barre Town Code is hereby amended by the addition of a new sub-section (t) to read as follows:

Sec. 6-22. Restrictions and conditions.

- (t) Prohibiting work in highway rights-of-way during winter.
No work in a town highway right-of-way will be done between November 1 and April 15, inclusive, except as stated under Additional Conditions, in Sec. 6-21 of this Chapter.

Section 3.

The Selectboard of the Town of Barre hereby ordains that Chapter 8, Section 8-26(c)(8) is hereby amended to read as follows:

Water ? ?

(8) No connection to the main will be made between November 1 and April 15, inclusive, except if during November the town engineer determines weather conditions are favorable for excavating, backfilling, and compacting, he/she may allow a connection with the following conditions: 1) the town engineer or other qualified town representative must be present during excavation, backfilling, and compacting; 2) the applicant shall use insulation board over the water service line and/or water main when ordered by the town engineer or other qualified town representative on-site; 3) the applicant must restore trenches the next Spring and if required by the town engineer re-excavate, backfill, and compact the trench; 4) no work shall be permitted during a snow or ice storm; 5) the application must comply with the engineer's orders for soil erosion, seeding, and mulching, including returning the next Spring to re-seed and mulch.

Section 4.

The Selectboard of the Town of Barre hereby ordains that Chapter 8, Article III is hereby amended by the addition of a new Section 8-112a to read as follows:

Sec. 8-112a. Connections Prohibited During Winter.

No connection to the public sewer will be made between November 1 and April 15, inclusive, except if during November the town engineer determines weather conditions are favorable for excavating, backfilling and compacting, he/she may allow a connection with the following conditions: 1) the town engineer or other qualified town representative must be present during excavation, backfilling, and compacting; 2) the applicant shall use insulation board over the building sewer line and/or public sewer main when ordered by the town engineer or other qualified town representative on-site; 3) the applicant must restore trenches the next Spring and if required by the town engineer re-excavate, backfill, and compact the trench; 4) no work shall be permitted during a snow or ice storm; 5) the application must comply with the engineer's orders for soil erosion, seeding, and mulching, including returning the next Spring to re-seed and mulch.

Section 5.

This ordinance shall become effective fifteen (15) days after adoption.

ADOPTED this _____ day of _____, 2010.

BARRE TOWN SELECTBOARD

By: _____
Jeffrey A. Blow, Chairman

ATTEST:

Donna J. Kelty, Town Clerk-Treasurer