

CITY OF HERCULANEUM

#1 Parkwood Court, Herculaneum, MO 63048

Phone: (636)475-4447 Fax: (636)475-6191



EXCAVATION PERMIT APPLICATION

Date: _____

Permit #: _____

Applicant: _____
Address: _____

Phone: _____

Location of Service: _____

Remarks: Must meet all Herculaneum Municipal Building Codes
Must submit plans for review and approval.

Estimated Cost: _____

Permit Fee: _____

INSPECTION APPROVALS:
1. Site Inspection
2. Final Inspection

(inspections are determined by type of permit)

A 24 HOUR NOTICE MUST BE GIVEN TO SCHEDULE FOR INSPECTIONS

Applicant Signature: _____
Company Representative Signature/Print Name

Building Official: _____
Dodie Graves

SECTION 535.050: REMOVAL OF EXCAVATED MATERIAL

Any person having been issued a permit to make a cut or hole in a sidewalk, street or alley of this City, shall remove all earth and dirt excavated from each excavation from the site of such excavation within forty-eight (48) hours of the commencing of such excavating procedure. Each day in excess of forty-eight (48) hours after the commencing of such excavating procedure that such earth and dirt is not so removed shall be considered a separate violation of the provisions of this Section. (Ord. No. 38 §27)

SECTION 535.060: REFILLING EXCAVATION

Upon the completion of the installation of the utility in question, the person having been issued a permit to make a cut or hole in a sidewalk, street or alley of this City shall refill such excavation using the following method, to-wit:

1. Earth or mud or dirt shall not be used to fill such excavation. The only materials that may be used shall be one of the following:
 - a. So-called waste white silica sand, or
 - b. One (1) inch minus, crushed limestone, or
 - c. Screened gravel passing through a one inch sieve.
2. Water jetting shall be used as is necessary to allow and cause compaction of the backfill.
3. Pavement removed during the course of such excavation shall be replaced with material of the same or similar content or composition as that of the street, sidewalk or alley in which the excavation was made.

There shall not be any exceptions, exemptions or waivers of the provisions of this Section relating to the method of refilling holes or cuts made in the sidewalks, streets or alleys of this City by any person issued a permit for such purpose under this Chapter. (Ord. No. 38 §28)

SECTION 535.070: PENALTY

Violation of any of the provisions herein shall be a misdemeanor and punishable, upon conviction, by a fine of not less than one dollar (\$1.00) nor more than one hundred dollars (\$100.00). (Ord. No. 38 §29)

CHAPTER 535: EXCAVATIONS

ARTICLE I. GENERALLY

SECTION 535.010: PERMIT REQUIRED

No person shall excavate a hole or cut in any sidewalk, street or alley in the City without first obtaining a permit to do so as provided by this Chapter. (Ord. No. 38 §23)

SECTION 535.020: PERMIT—FEE

The fee for the permit required by this Chapter shall be in the amount of twenty-five dollars (\$25.00). (Ord. No. 38 §24; Ord. No. 99-021, 8-9-99)

SECTION 535.030: PERMIT—ISSUANCE

- A. The permit required by this Chapter shall be issued by the City Clerk.
- B. No permit to excavate a hole or cut in a sidewalk, street or alley in this City shall be issued except to persons or companies properly licensed and bonded, if otherwise required, to do business in this City. (Ord. No. 38 §25)

SECTION 535.040: PERMIT—DEPOSIT

- A. No permit shall be issued unless the applicant shall deposit with the City a sum of three hundred dollars (\$300.00). Such deposit shall not be refunded until thirty (30) days after the completion of the excavation and final inspection thereof. If, upon inspection, it is found that the completed excavation is not in accordance with the standards prescribed by this Chapter, notice shall be given to the permittee to correct such defects within such time specified therein. Upon refusal of the permittee to correct such defects, the City shall correct them and deduct its costs so incurred from the amount of deposit and refund the balance to the permittee.
- B. *Permit—Continuing Bond For Utilities.* Public utilities which have lines, cables, mains, poles or other constructions within the City of Herculanum may post a five hundred dollars (\$500.00) bond for excavations provided for by this Section in lieu of the one hundred dollars (\$100.00) deposit in Subsection (A). Such bond when filed with the City Clerk shall authorize said utilities to carry on emergency excavations without the permit required herein. Provided however, that such utility furnishing such bond shall obtain a permit from the City Clerk on the next business day after such emergency excavation is commenced.
- C. *Indemnity.* As a condition of the issuance of any permit or authorization to excavate under the terms of this Section to any utility, such utility will indemnify and save harmless the City from any damages, costs or attorneys fees for any cause of action against the City which may arise from any excavation or construction by said utility under the terms of this Section. (Ord. No. 38 §26; Ord. No. 54 §1; Ord. No. 570, 8-8-94)