



# City of Waltham

## Street Opening, Curb Cut & Utility Permit Rules and Regulations

City of Waltham Street Opening, Curb Cut & Utility Work Rules and Regulations  
Adopted and Approved – Ordinance (13-41); (17-25)

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# City of Waltham Department of Public Works

## Rules and Regulations for Street Opening, Curb Cut & Utility Permits

### 1.0 INTRODUCTION

The purpose of this document is to set forth the City of Waltham's rules and regulations governing street opening permits, permits for work in the public and private, right-of-way, and related permitting requirements. Permits are required in the following situations: Excavation within the public or private way or City utility easement, repairing, replacing or installing a utility or drain, moving a building over a public way; crossing a curb line, grass plot or sidewalk with construction equipment; placing materials or equipment upon or obstructing a public way; resurfacing a driveway; and construction, reconstruction, or enlargement of a driveway.

All work shall be done in conformance with The City of Waltham Rules and Regulations, the City of Waltham Engineering Department Standard Details, the Massachusetts Highway Department Standard Specifications for Highways and Bridges dated 2022, the Supplemental Specifications current edition, and the Interim Supplemental Specifications and the latest edition of the American Water Works Association Standards.

Applications for street opening permits are to be filed at the Department of Public Works (DPW) with accompanying user fee, insurance certificate, project description, and project plan. Further information can be obtained by contacting the City of Waltham DPW at 781-314-3800 or the City of Waltham CPW Website. Normal Business Hours are Monday thru Friday 8:30- 4:30pm. Excluding City Holidays.

### 2.0 DEFINITIONS

Applicant: The person who applies for the permit.

Barricade: A device or structure used to prevent physical access to a specific area.

Restricted Streets: No work can be performed on restricted streets between the hours of 7:00am and 9:00am or between 4:00pm and 6:00pm.

Restricted Streets are as follows:

Bacon Street	Bear Hill Road	Beaver Street
High Street	Lexington Street	Linden Street
Main Street	Maple Street	Moody Street
Newton Street	Pine Street	Prospect Street
River Street	Second Avenue	Smith Street
South Street	Stow Street	Totten Pond Road
Trapelo Road	Waverly Oaks Road	Weston Street
Winter Street	Wyman Street	



Development: A new structure to include, but not limited to, houses, condos, commercial buildings.

Gutter line: The boundary line on either side of a roadway or paved portion of a street.

Encroach: To intrude upon, above or beneath any public ways.

Excavation: A cutting into the existing paved or grassed surface by any means whatsoever.

Grass Plot: The unpaved portion (normally grassed) of a street between the curb lines or the gutter lines of a roadway, and the sidewalk. Some streets have sidewalk to the curb line.

Person: Any person, firm, partnership, association, society, corporation, company, governmental agency, or organization of any kind.

Public Way: A street under any designation either maintained by the City of Waltham or accepted and laid out as a public way by the city, including without limitation the roadway and sidewalks.

Roadway: The portion of a street improved, designed, or ordinarily used for vehicular traffic.

Renovation: Any change to the footprint of a dwelling.

Sidewalk: The paved portion of a street between the curb grass plots or the gutter lines of a roadway, and the adjacent property lines intended for pedestrian use.

Street: The entire width between the boundary lines of every public way.

Street line: The boundary line on either side of a street.

Director of Public Works: The Director of Public Works of the City of Waltham, or his or her designee.

City Construction Contract: A City project being constructed under direction of the Director of Public Works or another City Department.

Normal Business Hours: Monday – Friday 8:30 am – 4:30 pm

### **3.0 STREET OPENING PERMIT POLICY AND PROCEDURES**

#### Permit Required

No person shall cut into, disturb the pavement or finish of, or make any excavation in, any public or private way or portion thereof without first obtaining a permit from the DPW, except as otherwise provided in these regulations. Permits are required for any type of excavation, including, but not limited to: installing, repairing, or replacing conduit, pipes, laterals, and underground utilities, drain lines, resurfacing the street; resurfacing, widening, or repairing any sidewalk or curb cut in the public right-of-way; installing, replacing, or removing street curbing; and storing materials, dumpsters, or equipment in the public right-of-way. Granite curbing removed is the property of the City and shall be returned to the City yard at 165 Lexington St.

No person shall cut into, disturb the pavement or finish of, or make any excavation over, any City-owned easement or private road wherein the City maintains water, sewer, or drainage infrastructure without first obtaining a permit from the DPW.

No person shall move a building over the public way without first obtaining a permit from the DPW.

No person shall drive any construction vehicle over a curb, grass plot or sidewalk for the purpose of creating an access way across such a curb, grass plot, or sidewalk, or shall resurface a driveway



without first obtaining a permit from the DPW.

No person shall lower any curb or change the grade of any grass plot or sidewalk for the purpose of providing access, and no person shall construct, reconstruct, or enlarge a driveway apron without first obtaining a permit from the DPW.

No person shall use any portion of a public way for the purpose of placing building materials or rubbish, or storing equipment without first obtaining a permit from the DPW.

Permits must be kept at the job site and must be shown, upon request, to any authorized City personnel.

Permits issued by the DPW shall pertain only to allowing work within the City owned rights-of-way and do not authorize or permit entry onto private property adjacent to such right-of-way or alteration or disturbance to any facilities or installations existing within rights-of-way which may have been installed and are owned by the Commonwealth of Massachusetts, the City, or other government agencies.

A building permit issued by the Building Department or any other City department does not constitute a Street Opening Permit.

Excavations may also require a Trench Permit, in accordance with M.G.L. Ch. 82A, and 520 CMR 7.00.

#### Application and Location Plan Required

Standard application forms for street opening, curb cut and utility trench permits can be obtained from the DPW at 165 Lexington Street, Waltham, MA during normal business hours. Application forms are subject to change without notice. Each application form shall be filled out completely, signed, and submitted to the DPW for review. The application shall be accompanied by the appropriate plans, permit fees, certifications, certificates of insurance, or other items specified in the application, in these Rules and Regulations

An application to move a building shall be accompanied by a written certification from the Director of Public Works granting permission to move the building within a public way, in accordance with Massachusetts General Law 85, Section 18; and a permit from the Tree Warden to cut, trim, or remove any public shade tree, in accordance with Massachusetts General Law 87, Section 13.

Each request for a street opening permit to construct, reconstruct or enlarge a driveway apron shall be accompanied by an Approved Curb Cut application.

Stormwater controls must be provided for all proposed structures and other impervious surfaces. Stormwater shall be retained on-site to the maximum extent practicable. Discharge of stormwater to the street or City drainage system must be approved by the City Engineer. An Inflow and Infiltration (I&I) application must be completed for all stormwater controls.

The DPW reserves the right to consult with the Police Department, Fire Department, and other municipal departments as may be helpful to diligently review each application

#### Insurance

At the time the street opening permit application is filed, the Applicant shall present a policy of insurance, with the City of Waltham named as additionally insured, issued by a company licensed to write such insurance in the Commonwealth of Massachusetts, acceptable to said DPW, and containing the following minimum requirements, unless other amounts are prescribed by law. A bond in the amount of \$5,000 along with a certificate of insurance for \$50,000 Property Damage and \$300,000 Public Liability.

A street opening permit must be obtained from the DPW for every installation before the work begins.



The charge is \$125.00 per 30 days. Pods and staging permits are \$25.00 per week. Please note that there will be up to a 48-hour waiting (business days) period prior to a street opening permit being issued. Applicants will be required to fill out a permit request with relevant information which will give the DPW ample time to review the circumstances prior to the permit being issued.

A valid Dig Safe number must be presented when requesting a street opening permit.

All oversight on the installation of any water line, sewer line or on-site storm water drainage must be coordinated by the Applicant with an inspector from the DPW. No back filling or any utility pipe work is permitted until viewed by a DPW inspector. All requests for inspection require 72-hour notice to the inspector directly. Please call the Public Works Department at 781-314-3800, to schedule your inspection.

All workmanship and quality of materials must comply with the Engineering Department's specifications and testing procedures.

The City of Waltham Engineering Department requires plans of all installations.

The applicant accepts full responsibility for all trench repair and re-paving due to settlement or deterioration for a period of (3) three years after the **Final Sign off date on the Building Permit**.

#### Requirements to be placed on the Approved Contractors List:

An applicant must be on the approved Contractors list in order to be granted a street opening permit. The Applicant must submit a letter to the Director of Public Works requesting to be placed on our list of Approved Contractors. They must also provide a statement of qualifications for installation of water, sewer and drain services, including a list of (3) three locations where work has been done as well as references (please include the name of a contact person along with telephone numbers). At least One reference, (include letter) must be from a city or town where they have performed water, sewer or drain work. Only Contractors who have written approval from the Director of Public Works will be placed on the Approved Contractors List. Insurance and bonding information shall be included with the request to be placed on the approved contractors list.(see Insurance section).

#### Indemnification

The Applicant shall, as a condition of obtaining a permit, indemnify, defend, and hold harmless the City of Waltham, its departments, and officials, including the Director of Public Works and his/her agents and employees, from any and all claims, demands, suits, actions, costs, judgments, whatsoever, including reasonable attorney's fees, arising from the acts or omissions of the Applicant, its agents and employees, in connection with work performed pursuant to said permit, any failure on the part of the Applicant, its agents, employees, and Applicants, to comply with any provision of the permit or these Rules and Regulations, or for any death, injury or property damage suffered by any person on account of or based upon the act, omission, fault, negligence or misconduct of the Applicant, its agents, employees, and Applicants. The Applicant's signature on the permit application shall constitute acknowledgement and agreement with the above condition.

#### Duration of Permit

All street opening permits are valid for 30 days from the date of issuance unless a longer duration is expressly specified in the permit. Applicants requiring a longer duration may request for an extension in person at the DPW office. Each 30 day extension will cost \$ 125.00. Applicants shall exercise best efforts to complete work in any time frame approved or specified by the City.



### Revocation of Permits

The Director of Public Works may at any time revoke or suspend permits for cause. Cancellation or expiration of insurance endorsement shall result in automatic revocation of permit.

An Applicant who fails to comply with any provision of a permit or these Rules and Regulations may be served by the DPW with a violation notice and provided reasonable time for necessary corrective actions. The Applicant shall cease all work during the period as provided in said notice other than corrective work as required pursuant to such notice. Work allowed pursuant to the permit may only resume upon correction of all failures or violations. Any applicant Who fails to comply with any provision of a permit or these rules and regulations may be fined and /or removed from the approved contractors list.

### Corrective Actions

In order to ensure public safety, the DPW and/or Police and/or Fire shall have the right to verbally notify and require immediate corrective actions of any Applicant whose failure to comply with the provisions of a permit or these Rules and Regulations may cause safety hazards. Any Applicant whose failure to correct a violation beyond the time limit required for compliance in any notice given will not be issued any further permits until all outstanding items are resolved.

Any Applicant violating any provisions of a permit or these Rules and Regulations shall be liable to the City for any expenses, losses, or damages incurred by the City by reason of such violations, including the costs of any temporary or permanent repairs effectuated by the City as a result of such violations.

Any Applicant who continues to violate any provision of these Rules and Regulations and fails to correct violations in a timely manner will be subject to additional work restrictions, including removal from the Approved Contractors List, until such time as the City is satisfied that the Applicant has corrected all violations in compliance with the provisions of the issued permit or these Rules and Regulations.

### Emergency Action

Nothing in these Rules and Regulations shall be construed to prevent the making of excavations as may be necessary in the event of emergency conditions for the preservation of life or property or for the location and repair of damage or defects in conduit, drain, culvert, or pipe, provided that the person making such emergency excavation shall apply to the DPW for such a permit as soon as practicable but in no event later than 9:00 a.m. on the first business day after such emergency work is commenced. Failure to apply for a permit by the specified time shall constitute a violation of these Rules and Regulations and shall subject the individual undertaking such excavation to enforcement action.

The person engaged in emergency action shall notify the DPW, the Police Department, and the Fire Department prior to start of emergency work.

## **4.0 STREET OPENING MORATORIUMS**

The City of Waltham maintains a moratorium on street opening activities between November 15th and April 15th. Any exceptions must be approved by and at the discretion of the Director of Public Works.

Roads paved within the past five years shall be subject to a street opening moratorium, except in emergency conditions as determined by the Director of Public Works. If not, the applicant must follow process to petition the city council for a 17-25 ruling. See Excavation of resurfaced streets City Ord.No.26634,2-13-1989 sec. 17-25.



## **5.0 STREET OPENINGS – GENERAL CONDITIONS**

### **Notification to Public Utility Companies**

The Applicant shall in accordance with the General Laws of the Commonwealth of the Massachusetts give notice to public utility companies before making an excavation.

Pursuant to Massachusetts General Laws, Ch. 82, Section 40A as amended, no one may excavate in the Commonwealth of Massachusetts except in an emergency without giving 72-hours' notice, exclusive of Saturdays, Sundays, and legal holidays, to natural gas pipeline companies, public utility companies, cable television companies and municipal departments that supply gas, electricity, telephone, or cable television service in or to the City.

The utility companies have established a public utility underground plant damage prevention system called "Dig Safe" to receive the above mentioned, notices of excavation which are then transmitted to member utilities. There is no cost to the excavator. The calls are received over toll free lines. Telephone number 1-800-322-4844. Applicants must utilize Dig Safe to ensure compliance with Massachusetts General Laws, Ch. 82, Sections 40-40E.

The City of Waltham is not a member of the Dig Safe program. Separate notification of the DPW is required to schedule a mark out of City utilities. Failure to notify the City shall be considered a violation of the permit and these Rules and Regulations.

All street opening permits are subject to the state's Excavation and Trench Safety Law (MGL Ch. 82a, Sections 1- 5). Compliance shall be a condition of any permit. Workers subject to licensing requirements applicable to excavation and related work must maintain current and proper licensure, including, but not limited to licensure for operation of hoisting equipment as required by MGL 146. Compliance with applicable engineering and other codes shall be a condition of any permit granted hereunder.

### **Boundary Lines**

Applicants shall retain their own land surveyors to establish the line or otherwise inform themselves of the demarcation between public lands and private holdings.

### **Vital Structures**

The excavation work shall be performed and conducted so as not to interfere with access to fire hydrants, fire stations, fire escapes, water gates, underground vaults, catch basins, and all other vital structures and equipment as designated by the Director of Public Works.

### **Start of Work**

Work shall start as near to the starting date specified in the permit as possible. 72-hour notice shall be given to an inspector at the DPW, prior to starting any work.

### **Excavated Material**

All material excavated from trenches or excavations shall be removed from the site of the work except in such cases where the material is suitable, and permission has been granted by the Director of Public Works, for use as backfill.

### **Construction Materials**

Construction materials on the site shall be limited in quantity and occupied space to not unduly hinder and block the use of the way.

### Dust and Clean-up

As the excavation work progresses, all ways shall be thoroughly cleaned of all rubbish, excess earth, rock, and other debris. The Applicant shall take necessary precautions to prevent and avoid dust and to keep the way clean each day. All clean-up operations shall be accomplished at the expense of the Applicant and shall be carried out to the satisfaction of the Director of Public Works.

### Noise

Each Applicant shall conduct and carry out excavation work in such manner as to avoid unnecessary inconvenience and annoyance to the general public and occupants of neighboring property. During the hours from 5:00 p.m. to 7:00 a.m. Monday thru Friday, and 4:00pm.to 8:00 am Saturday and Sunday, he shall not use, except with the express written permission of the Director of Public Works and the Chief of Police, or in case of an emergency as herein otherwise provided, any tool, appliance or equipment producing noise of sufficient volume to disturb the sleep or repose of occupants of the neighboring property. The Applicant is also bound to obey any noise ordinance of the City or applicable state regulation thereof. See, City of Waltham Ordinance sec.10.6.

### Prompt Completion of Work

After an excavation is commenced, the Applicant shall prosecute with diligence and expedition all excavation work covered by the excavation permit and shall promptly complete such work and restore the way to its original condition or as near as may be possible, so as not to obstruct the way of travel thereon more than is reasonably necessary.

### Trenches

The maximum length of open trench permissible at any time may be specified by the Director of Public Works and no greater length shall be open for pavement removal, excavation, construction, backfilling, patching and other operations without the written permission of the Director of Public Works.

### Inspections

The Applicant shall contact the DPW to inspect all work. Inspection notification, at least 72 hours in advance, is required for each of the following stages of work: start of work; prior to or during any backfilling operations; prior to pouring concrete; prior to any paving operations; and final inspection. The Applicant shall comply with any corrective work requested by the DPW prior to proceeding further on the project. The determination as to the acceptability of all work shall be at the sole discretion of the Director of Public Works. Any work completed without an inspection shall be re-exposed and corrected at the sole expense of the Applicant.

### Testing of Work

The Director of Public Works may order a test on any street restoration, at the Applicant's expense to determine if the work has been completed in accordance with City specifications. The Applicant shall employ a laboratory or testing facility deemed acceptable to the Director of Public Works, at the Applicant's expense. If the test shows the street restoration to be unacceptable, the Applicant shall be responsible for the costs of any additional testing and the work necessary to make the proper restoration.

### Safety Equipment

The Applicant is responsible to ensure that all Applicant personnel, including all subcontractors, working on the project are issued and are wearing all necessary personal protective safety equipment while working within the project limits. This equipment shall include, as a minimum, a hardhat and a safety vest, regardless of the type of work being performed. Other safety equipment shall be added as



required to perform the work in which they are engaged and in accordance with all local, state and federal requirements in effect.

All Applicants shall have a pump with a minimum HP of 4.8 with a minimum of a 2-inch outlet in working order, on site when doing any water & sewer work on property or in the street.

## **6.0 STREET OPENINGS – TRAFFIC CONTROL**

Traffic planning must be coordinated with the DPW in conjunction with the Police Department. All work in the public way requires police detail(s) as directed by the Police Department.

The Applicant shall take appropriate measures to assure that normal traffic conditions are always maintained to cause as little inconvenience as possible to the occupants of the abutting property and to the general public. The Applicant shall maintain safe crossings for two lanes of vehicle traffic at all road intersections where possible and safe crossings for pedestrians at intervals of not more than three hundred feet. If any excavation is made across a public way, it shall be made in sections to assure maximum safe crossing for vehicles and pedestrians. If the way is not wide enough to hold the excavated material for part time storage, the material shall be immediately removed from location.

At no time will closing of a roadway be permitted without prior written approval from the Director of Public Works and or the Chief of Police. The use of Police detail(s) to maintain traffic control and public safety does not eliminate the need for warning signs and traffic control devices. If a roadway is closed the 911 center shall be notified.

The covering of open trenches shall be required when work is not underway in areas where pedestrian traffic is likely to occur or where such open trench is a hazard to vehicular traffic.

The storing of construction material in the public right-of-way in connection with utility projects will be limited and will not be permitted without prior written approval from the Director of Public Works. Failure to obtain such approval may result in assessment of a fine.

Utility construction/maintenance activities which must occur on heavily traveled roadways will be prohibited during the peak traffic volume periods. Work hours will be established by the City. The total closing of any street to traffic must have written approval from the Director of Public Works or the Chief of Police. See Sec. 2.0 Restricted Streets, for a list of streets with restricted work hours.

The Applicant must recognize the need and use of driveways to adjacent properties and their closure must be limited and every effort must be expended to open and make serviceable those driveways that are closed, in the shortest time possible. If closure of driveways is anticipated, the Applicant performing the work must notify the owners of such driveways at least 24 hrs. before and again 30 minutes in advance of closure to allow vehicles to be moved, and must notify the owners of anticipated length of time of closure.

Warning signs shall be placed a sufficient distance back of the construction operation to alert all traffic within the way and cones or other approved devices shall be placed to channel traffic, all in accordance with the requirements of the Police Department and provided in the Manual on Uniform Traffic Control Devices for streets and Highways (MUTCD).

Warning signs, lights, and such other precautions as may be necessary for those purposes, unless specified by the Director of Public Works, shall conform to the requirements and practices of the Massachusetts Department of Public Works for their use in the performance of work upon streets and highways, and as provided in the MUTCD.



Notice to Applicants: Costs of placing barricades and/or interim repairs required due to the failure of the Applicant to maintain safe conditions shall be borne by the Applicant. These costs may also include the cost of city of personnel, including police details, on overtime rates due to emergency repairs performed on off-hours, or holidays.

## **7.0 PROTECTIVE MEASURES**

### Work Zone Safety

The Applicant shall take all precautions for safety and shall provide all protection to prevent damage, injury, or loss to all employees in the work zone and other persons who may be affected.

### Adjoining Property

The Applicant shall always and at its own expense preserve and protect from injury any adjoining property by providing proper support, and by taking such other precautions as may be necessary for these purposes. The Applicant shall, at its own expense, shore up and protect all buildings, walls, fences, foundations, pavement, landscaping, or other property that may be subject to damage during the progress of the excavation work and shall be responsible for all damage to public or private property resulting from its failure to properly protect and carry out said work. The Applicant shall not remove, even temporarily, any trees or shrubs which exist in planting strip areas without first obtaining the consent of the Director of Public Works.

### Utilities

The Applicant shall not interfere with any existing utility without the written consent of the Director of Public Works and the owner of the utility. If it becomes necessary to relocate an existing utility, this shall be done by its owner and the cost of such work shall be borne by the Applicant. The Applicant shall inform itself as to the existence and location of all underground utilities and protect the same against damage in accordance with Massachusetts General Laws, Ch. 82, Sections 40-40E.

The Applicant shall adequately support and protect as required by utility owner all pipes, conduits, poles, wires, or other apparatus which may be in any way affected by the excavation work, and do everything necessary to support, sustain and protect them under, over, along or across such work area. In the event any of said pipes, conduits, poles, wires, or apparatus are damaged, such damage shall be repaired by the agency or person owning them and the expense of such repairs shall be borne by the Applicant. The Applicant shall be responsible for any damage done to any public or private property by reason of the breaking of any water pipes, sewer, storm drain, gas pipe, electric conduit, or other utility.

### Gutters and Basins

The Applicant shall maintain all gutters free and unobstructed for the full depth of the adjacent curb and for at least one foot in width from the face of such curb at the gutter line. Catch basins shall be kept clean and operable. Silt sacks are Required to be installed prior to excavation activities. Applicant is required to maintain silt sacks for the duration of the project. Silt sacks are to be inspected weekly and within 24 hrs. of each rain event. Silt sacks found to be containing debris shall be promptly cleaned and re-installed. Debris is to be disposed of in accordance with all Federal, State, and Local regulations.

The Applicant shall make provisions to properly address all surplus water, muck, silt, or other run off pumped or removed from excavations and shall be responsible for any damage or additional maintenance work resulting from its failure to so provide.

### Disturbance of Existing Bounds

Where existing bounds are disturbed by the Applicant's activities, conflict with the proposed construction, removal and resetting of bounds shall be done by a Professional Land Surveyor



registered in the State of Massachusetts at the Applicants expense. A certification by the Professional Land Surveyor performing the work shall be made and submitted to the City Engineer for all Bounds reset.

## **8.0 STREET OPENINGS – TECHNICAL REQUIREMENTS**

### **Breaking Through Pavement**

The use of air/hydraulic pavement breaker for cutting/breaking pavement is approved. The Director of Public Works after due consideration of the location, the condition and depth of the pavement may order that the limit edges of the proposed cutting of pavement shall be made with a cutting saw or cutting wheel. In the case of Portland cement concrete pavement, the cutting saw shall be used. A cutting saw or cutting wheel shall be used when excavation/trench length is 50 feet or greater.

Approved cutting of Portland cement, concrete, and bituminous pavement surface ahead of excavations is required to confine pavement damage to the limits of the trench.

Sections of sidewalks shall be removed to the nearest score line or approved saw cut edge.

Unstable pavement shall be removed over cave cuts and over breaks and the subgrade shall be treated as the main trench.

Pavement edges shall be trimmed to a vertical face and neatly aligned with the center line of the trench.

Cut-outs outside of the trench lines must be perpendicular or parallel to the trench line.

Excavations shall be made in open cut and no tunneling will be allowed except by special permission of the Director of Public Works. Trenches and excavations shall be braced and sheathed when necessary.

### **Backfilling**

Excavated material shall not be used for backfill unless it consists of clean sand or gravel and with permission of the Director of Public Works. Broken pavement, large stones, clay, roots, and other debris shall not be used in the backfill.

At the discretion of the Director of Public Works, flowable fill may be required as backfill material, based on characteristics such as vehicle load and traffic volume, underground utilities, soil suitability, time of year, or if the street is under moratorium.

Backfill material shall consist of sand, bank-run gravel or two-inch size processed gravel as approved by the Director of Public Works.

Sand or bank-run gravel may be used from the bottom of the trench to a point twelve inches below the surface of the pavement. Only gravel borrow is to be used in the top twelve inches of the excavation, maximum size of stone in gravel shall be 2 inches in largest dimension - State Spec. MI.03.0, type C. Backfill material shall be placed in ten-inch layers, power tamped and moistened when required to secure maximum compaction of the backfill and to reduce settlement.

A temporary hot patch must be placed on the surface of the fill and thoroughly compacted. Temporary paving shall closely follow backfilling operation.

Temporary pavement shall be Class I Bituminous Concrete Type 1-1, five inches {5"} thick as directed, conforming to Section 460 of the Massachusetts Standard Specifications for Highways and Bridges. The temporary pavement shall be maintained in a satisfactory condition until the permanent pavement is placed. The Applicant is responsible to install temporary pavement

markings along sections of disturbed roadways as required by the Director of Public Works or the City of Waltham Traffic Engineer.

### Road Plates

Road plates shall not be used without prior authorization by the Director of Public Works. The Applicant shall execute work in a manner that will limit the use of steel plates to be left in the roadway overnight. All steel plates to be left in the roadway shall be shimmed and pinned in place and all edges shall be cold patched.

The Applicant shall use the proper size steel plates. The plates must extend at least one foot beyond the pavement opening onto firm ground.

Steel plates shall be recessed into the pavement and fixed in place to avoid movement, when directed by the Director of Public Works.

When multiple steel plates are used and butt up to each other, they shall be welded together at the longitudinal seams.

Plates shall be countersunk when necessary due to uneven roadways.

Plates shall be coated with an anti-skid coating.

Appropriate signage, such as "STEEL PLATE AHEAD" and "STEEL PLATE" shall be installed to provide advanced warning to motorists and particularly motorcyclists. The edges of steel plates shall be marked/painted to improve visibility.

Roadway and trench wall conditions shall be reevaluated throughout and at the end of the day and to ensure safety.

### Policies, Construction Specifications and Details

The DPW may adopt additional policies, construction specifications and details to supplement these Rules and Regulations. The purpose of such documents shall be to clarify and standardize technical requirements, procedures, and typical construction methods within the City.

## **9.0 SPECIFICATIONS FOR RESTORATION OF PERMANENT PAVEMENT**

### Restoration of Permanent Paving

All permanent paving shall be done under the direction of the Director of Public Works at the expense of the Applicant and shall be performed no earlier than one hundred twenty days after the completion of the temporary patch unless otherwise directed by the Director of Public Works.

The Applicant is responsible to install permanent pavement markings along sections of disturbed roadways as required by the Traffic Engineer. All permanent pavement markings shall be thermoplastic with reflectorized treatment.

### Longitudinal trenches less than 200 feet in length and transverse trenches

At the discretion of the Director of Public Works, the Applicant shall remove by milling, a depth of 1 ½ " of the temporary HMA patch and the existing asphalt within a minimum of 12" outside the original limits of the trench, followed by emulsion interlay over the area of the pavement cut, followed by a top course of Type I-1 Bituminous Concrete, spread (any trench greater than 3 feet in width must be mechanically spread) and compacted with a steel wheeled roller of sufficient mass to produce a final smoothing of the wear course.



#### Longitudinal trenches greater than 200 feet in length

The Applicant shall remove by milling, a depth of 1 ½-inches of the temporary patch and the existing asphalt within a minimum of 12" outside the original limits of the trench, followed by the placement of a top course of Type I-1 bituminous concrete spread (any trench greater than 3 feet in width must be mechanically spread) and compacted with a steel wheeled roller of sufficient mass to produce final smoothing of the wear course.

#### Restoration Guarantee

Any Applicant excavating in a public way must guarantee the permanent restoration work for a period of three years from the date of the acceptance of the permanent restoration by the Director of Public Works. The Applicant may be required to completely re-excavate, refill, repave or repair by infra-red any permanent restoration that fails within the three-year guarantee period. If, at any time it is discovered that the permanent restoration was not made in accordance with City specifications, the Applicant shall be responsible for making a proper restoration.

#### More than one trench for a parcel

Where one excavation is made in the same portion of a roadway, any two or more excavations which are within 10 feet of each other shall be combined for resurfacing purposes and shall extend from curb to the farthest point of the longest trench or, in the absence of curbing, from gutter to the farthest point of the longest trench, for the entire linear distance necessary to include all excavations at that location. If the longest trench is within 4 feet of the opposite curbing or gutter then the trench shall be resurfaced from curb to curb or, in the absence of curbing, from gutter to gutter. The contractor shall reset and adjust all utility structures located within paving area to final grade.

### **10.0 CURB INSTALLATION REQUIREMENTS**

Whenever the owner of a parcel abutting a public way desire that curbing be installed abutting such parcel, the property owner may pay for and install granite curbing at their full expense, subject to the approval of the Director of Public Works, and subject to the conditions as herein defined and with the City of Waltham Standard Details of Construction. Such installation shall also include appropriate transition to adjoining curbing and walkways, including handicapped ramps and access as required.

Any new development project or renovation project shall include the installation of granite curbing and concrete sidewalk with planting strip, across the entire project's street frontage at the property owner's expense, subject to the approval of the Director of Public Works, and subject to the conditions as herein defined and with the City of Waltham Standard Details of Construction. Such installation shall also include appropriate transition to adjoining curbing and walkways, including handicapped ramps and access as required. Curb shall be a Type VA-4

No Curbing shall be installed under this section at those locations where the Director of Public Works determines that the installation of curbing is not feasible due to public safety, site constraints, or conflicts with future plans for the area.

Catch basins are not allowed within a proposed curb cut.

## 11.0 CURB CUT REGULATIONS

The following regulations apply to requests for new curb/driveway openings and the widening and/or closing of existing driveways:

The applicant shall submit a completed Curb Cut Opening Permit Applications to the Director of Public Works along with a plan showing where he proposed work is to be done.

The plan must be accurately drawn and stamped by a Land Surveyor. (The plan must be accurately drawn to a scale of 1 inch = 40 feet or 1 inch = 20 feet).

The plan must include a detail of the driveway opening.

All work must conform to the requirements of the zoning ordinances of the City of Waltham and the construction requirements of the Engineering Department.

On-site drainage must be indicated on the plans and drainage calculations must be prepared in accordance with Engineering requirements for areas that exceed 150 square feet.

No driveway connecting such a parking area to the street shall be in the excess of 20-feet in width as it crosses the five-foot reserve strip, but where two such driveways are provided on a single lot, they shall not exceed 12-feet in width in the reserve strip.

Catch basins are not allowed within proposed curb cuts.

All requests will be forwarded to the Engineering Department for review.

If granite curbing is removed, it must be delivered to the Street Department at 167 Lexington Street. The Applicant, at the owner's expense, must install curb returns for all driveway openings. If there is no existing curb on the street, a transition piece must be installed with each curb return. The Applicant is responsible to dispose of all asphalt, concrete and broken granite that is removed.

All driveway construction on private property is subject to approval by the Building Department.

The Applicant must obtain a street opening permit prior to construction.

Any existing drive that is to be repaved (including the area from the gutter line to the street line/property line) must apply for a street opening permit.

Permits must be applied for on all public streets and all private streets open to the public.

Whenever possible, no driveway openings or curb cuts shall be located within 15 feet of a crosswalk and 50 feet of a street corner measured from the nearest edge of the driveway and the crossroad edge of pavement.

Any decorative or rumble strip that may be placed at the end of a driveway must be constructed on private property.

All driveway aprons and curb cuts within the public way shall be constructed of bituminous concrete or cement concrete.



## 12.0 SIDEWALK REQUIREMENTS

In this section the material for sidewalk construction and repair shall consist of concrete unless otherwise exempted concrete shall be 4000psi. 3/4" aggregate with no picture frame around joints. w / Broom finish. No Picture Frame Finish @ Joints.

When required and approved by the Tree Warden and in accordance with DPW rules and regulations, the material used at street tree locations may include asphalt in order to address tree root issues.

The material used as a temporary utility repair, where deemed necessary by the Director of Public Works, may include asphalt. In accordance with DPW regulations, temporary repairs shall be permanently replaced with concrete.

Sidewalks constructed hereinafter may extend the full length of the public way at the discretion of the Director of Public Works, and shall have a preferred clear walking surface of five feet, not including curbing with a minimum of four feet, and shall conform to Americans Disability Act (ADA) and Massachusetts Architectural Access Board (MAAB) guidelines, unless otherwise exempted under division (last paragraph in this section)

A minimum clearance of three feet shall be provided around obstructions in the sidewalk such as utility poles, street trees, and fire hydrants.

In residential areas, the sidewalk width shall be a maximum of five feet.

A minimum width of two feet shall be provided as a planting strip.

Whenever the owner of a parcel abutting a public way desire that a sidewalk be installed abutting such parcel, the property owner may pay for and install concrete sidewalk at their full expense, subject to the approval of the Director of Public Works, and subject to the conditions as herein defined and in compliance with the City of Waltham Standard Details of Construction. Such installation shall also include appropriate transition to adjoining curbing and walkways, including handicapped ramps and access as required.

No sidewalks shall be installed under this section at those locations where the Director of Public Works determines that the installation of sidewalks is not feasible due to public safety, site constraints, or conflicts with future plans for the area.

Any new development project shall include the installation of granite curbing and concrete sidewalk with planting strip across the entire project's public street frontage at the property owner's expense, subject to the approval of the Director of Public Works, and subject to the conditions as herein defined, including the City of Waltham Standard Details of Construction.

Such installation shall also include appropriate transition to adjoining curbing and walkways, including handicapped ramps and access as required.

In addition to the provisions of this chapter, all sidewalk installations shall comply with the rules and regulations and City of Waltham Standard Details of Construction.

In the case of selective sidewalk repairs, where there is no curb to create a barrier, and addition of a curb is not planned and where there is currently no grass planting strip, the default treatment is to create a planting strip, however, the Director of Public Works shall have discretion on whether to plant grass or restore asphalt (or other similar treatment) as the border between the sidewalk and the street.



### **13.0 EXCAVATING OF RESURFACED STREETS WITHIN 5 YEARS (17-25)**

Except in cases of emergency, as determined by the Director of Public Works and in accordance with the definition contained herein or by special permission of the City Council upon request of the person seeking permission to excavate a public way, no person shall break, dig up or excavate any portion of a public way which has been resurfaced or reconstructed within five years immediately preceding the date of such request. The City Council may grant such permission only if a majority of the entire membership of the of the Council determines, after a public hearing, that such excavation would serve the public good. Sec. 17-25 [Ord. No. 33464, 6-13-2016]

Where the City Council grants such permission, it shall require, as a condition of such permission, that the resurfacing of such excavation shall be accomplished with one continuous surface extending longitudinally at least two feet beyond the limits of the entire length of the excavation parallel to the street line and extending in a transverse direction from curb to curb, or, in the absence of curbing, from gutter to gutter, with no breaks or cuts in the surface, and in no event shall the length of such roadway excavation be less than 20 linear feet; provided, however that the City Council may, by a two-thirds vote of its entire membership, waive such requirement if it determines that such waiver would serve the best interests of the City.

Where more than one excavation is made in the same portion of the roadway, any two or more excavations which are within 10 feet of each other shall be combined for resurfacing purposes; and, in such instance, the resurfacing shall extend from curb to curb or, in the absence of curbing, from gutter to gutter and for the entire linear distance necessary to include the resurfacing of all excavations at that location; and in no event, shall the length of such excavation be less than 20 linear feet.

All work done hereunder, must be performed to the satisfaction of the Director of Public Works and in accordance with approved industry standards for roadway excavation, backfill, base material, compaction, final grading and pavement installation.

For the purposes of this section, the following term shall have the following meaning: Emergency. A sudden, generally unexpected occurrence or set of circumstances demanding immediate action.

This section is intended to regulate the resurfacing of certain roadways, and nothing contained herein shall be interpreted as requiring the placement of any utility lines, pipes, conduits, or the like in a precise location under the surface of any such roadway.

Violation of this section shall be punishable by a fine not to exceed \$300 per day for every day of violation, commencing with the date of notification of violations given to the person in violation.

#### Policies, Construction Specifications and Details

The DPW may adopt additional policies, construction specifications and details to supplement these Rules and Regulations. The purpose of such documents shall be to clarify and standardize technical requirements, procedures, and typical construction methods within the City.