



TOWN OF BILLERICA

DEPARTMENT OF PUBLIC WORKS

RIGHT OF WAY OPENING RULES AND REGULATIONS

Approved by BOS March 15, 2010

1. GENERAL

1.1 The following specifications shall apply to any person, corporation, or any utility governed by the state or public utilities commission, who for any reason cuts, disturbs, or otherwise defaces any Town property, being a public right-of-way, for purposes of installing or repairing or for any reason pertaining to the presence of any utility or structure in said public right-of-way.

1.2 A contractor is any individual, firm or corporation contracting with the Department, utility companies or developers for performance of prescribed work. Each contractor shall be insured and licensed by the Town as a certified contractor. Only approved contractors on the Billerica Drain Layers List shall be eligible to apply for R.O.W. opening permits.

1.3 Plans and profiles for any work within the Town right-of-way shall be submitted to the Department for their approval. For minor installations such as service lines, drops, etc., simple sketch plans with pertinent information as to location and depth may suffice as the plans. Plans for installation to be made in streets having asphaltic surfaces, resurfaces, or seal coats less than 5 years old will have to be submitted to the Director of Public Works for approval. These approvals are required prior to having a permit issued or work started. If during installations, changes are necessarily made, these must be shown on an "As-built Plan" which will also be submitted to the Department of Public Works upon completion of the project.

1.4 The contractor acquiring a permit for the purpose of performing work on any Town right-of-way, is assumed to be familiar with, and at all times shall observe and comply with, all Federal and State laws, local by-laws, ordinances affecting the conduct of his work. He shall indemnify and save harmless the Town of Billerica in the Commonwealth of Massachusetts, and its representatives against any claims arising from any violation of such law, by-law, ordinance, or regulation; whether by the contractor himself or by the contractor's employees. The Town of Billerica reserves the right to refuse issuance of permits to any contractor not complying with the above outlined procedures or with these specifications.

1.5 The Town will decide all questions which may arise as to the quality and acceptability of materials furnished and/or work performed. The Town shall have the authority to suspend work, wholly, or in part, because of the failure of the contractor to properly prosecute the work in accordance with this resolution. The Town may undertake the inspection of the material at the source and shall have full entry at all times to those areas wherein the manufacture or production of the materials is taking place. The Town shall also have the authority to waive, wholly or in part, the requirements of these

specifications, dealing with individual projects, for such reason it deems to be in the best public interest.

- 1.6 The contractor shall be responsible to obtain all other necessary permits to complete the work, including, but not limited to Trenching Permits, Water Tap Permits, Sewer Permits, etc.
- 1.7 These Rules and Regulations are subject to annual review and modification at the recommendation of the Director of Public Works, subject to the approval of the Board of Selectmen.

2. BONDING, INSURANCE AND WARRANTY REQUIREMENTS

2.1 Before the Department issues a permit to any contractor, there shall have on file with the Department a valid license and permit bond in the minimum amount of \$10,000.00. Such bond shall be for the benefit of the Town and shall assure the financial viability and commitment of the contractor. Such bond shall be in force for at least one year. Additionally a temporary cash bond, in the form of certified check, treasure's check, or cashier's check issued by a responsible bank or trust company, shall be posted by the contractor until completion of repairs. Such bond shall be payable to the Town of Billerica and calculated as follows:

<u>Local Roads:</u>	<u>Cash Bond Value</u>
Cross Cut Utility Trench	\$1,500.00 (up to 100 SF)*
Cross Cut Utility Trench	\$2,000.00 (101 SF to 200 SF)*
Longitudinal Trench (or curb cut)	To be calculated at time of application. (Based on scope of work and current construction costs).
<u>Arterial and Collector Roads:</u>	
Cross Cut Utility Trench	\$2,500.00 (up to 100 SF)*
Cross Cut Utility Trench	\$3,000.00 (101 SF to 200 SF)*
Longitudinal Trench (or curb cut)	To be calculated at time of application. (Based on scope of work and current construction costs).

*Bonds will include an adjustment when flowable fill, infra red repairs, overlay, or other additional repairs are required, to be based on current construction costs.

Bond Calculation Examples:

Cash Bond

10' by 5' (50 SF) cross cut trench on local road:	\$1,500.00
25' by 5' (125 SF) cross cut trench on local road:	\$2,000.00
10' by 5' (50 SF) cross cut trench on arterial / collector road:	\$2,500.00

2.2 Before the Department shall issue a permit to any contractor, that contractor shall show evidence of a valid and enforceable bodily injury and property damage liability insurance policy, with minimum limits of liability, or as required by law, whichever is greater as follows:

1. Bodily Injury Liability insurance, in an amount not less than Two Hundred and Fifty Thousand Dollars (\$250,000) for injuries, including wrongful death to any one person, and subject to the same limit for each person to an amount of not less than One Million Dollars (\$1,000,000) as account of one accident.
2. Broad Form Property Damage Liability Insurance in an amount not less than Two Hundred and Fifty Thousand Dollars (\$250,000) for damages on account of any one accident, and in an amount not less than One Million Dollars (\$1,000,000) for damages on account of all accidents.
3. Automobile Bodily Injury Liability Insurance, in an amount not less than Two Hundred and Fifty Thousand Dollars (\$250,000) for injuries, including wrongful death to any one person and subject to the same limit for each person in an amount not less than One Million Dollars (\$1,000,000) on account of one accident.
4. Automobile Property Damage Insurance in an amount not less than Two Hundred and Fifty Thousand Dollars (\$250,000) for damages on account of any one accident and in an amount not less than One Million Dollars (\$1,000,000) for damages on account of all accidents.
5. Contractors Public Liability Insurance in an amount not less than One Million Dollars (\$1,000,000) for each occurrence and in an amount not less than One Million Dollars (\$1,000,000) annual aggregate.

Such policy shall be for the protection of the Department from all suits, actions or claims of any type for injuries or damages allegedly sustained by any person or property as a result of the operations or completed operations of the work. Such policy shall specifically cover the acts and operations of any subcontractors or independent contractors of the contractor, in addition to the contractor's employees or agents.

2.3 In addition to the bonding and insurance requirements of 2.1 and 2.2 above, the contractor personally, by applying for and obtaining a permit, agrees to be liable to the Department for any expenses

incurred by the Department because of the contractors acts and omissions relating to the work, and the contractor shall hold the Department harmless from any claims of anyone else arising from or relating to the work. In accordance with these rules, the owner of any utility assumes responsibility for maintenance of said utility corridor in perpetuity.

3. PERMITS

3.1 Prior to commencing any work on any Town right-of-way, the contractor who will actually perform the work or his duly authorized representative shall obtain written permission to undertake said work in accordance with the following provisions.

3.2 Permits issued by the Department shall pertain only to allowing work within the Town owned rights-of-way and is in no way a permit to enter onto private property adjacent to such right-of-way nor to alter or disturb any facilities or installations existing within rights-of-way which may have been installed and are owned by the Commonwealth of Massachusetts, the Town, or others.

3.3 Fees shall be assessed for permits and inspections at the time of issuance of the permit. The amount of said fee shall be established to cover the actual cost to the Department incurred in the enforcement of these regulations and as approved by the Town.

3.4 Permits issued shall be available for inspection at the project site at all times. Said permit shall be shown to any representative of the Department upon request.

3.5 Permits shall be required for emergency repairs, however, a delay of seventy-two (72) hours is granted in securing the permit. Notifying the Department immediately of such emergency is a must and the Department can be notified at any time during the 24 hour day, 7 days a week. Failure to acquire a permit within this specified time shall result in a penalty permit being issued. This is in lieu of a normal permit and the contractor shall have to pay the additional fee pertaining thereto.

3.6 Any contractor commencing work prior to obtaining a right-of-way cutting permit, except as provided herein, shall be required to obtain a penalty permit in lieu of normal permit, and shall pay the additional fee pertaining thereto.

3.7 Permit Charges

Cross Cut Utility Trench	\$100.00 per cut
Longitudinal Trench	\$0.75 / L.F. (\$200.00 minimum)

Examples:

	<u>Permit Charge</u>
70 ft. longitudinal trench (\$200 minimum):	\$200.00
625 ft. longitudinal trench (625 x \$0.75):	\$468.75

3.8 Penalty Permit: This permit shall be issued to any Contractor commencing work prior to obtaining a regular right-of-way cutting permit. The fee for this permit shall cover the foregoing plus a penalty of \$1,000.00

3.9 The permit fees may be waived by the Town Manager, upon the recommendation of the Public Works Director, if the work to be done is at the request and for the convenience of the Town, or when in his/her opinion such waiver is in the best interest of the Town. A permit will be required but will be issued at no cost. The permit fees will apply only to those installations made as described. Those installations which will cross intersecting streets will necessarily have to be charged as provided. These charges will be made at the time the permit is issued so as to result in only one permit fee charge.

4. RIGHT-OF-WAY OPENINGS

4.1 No opening shall be permitted on any asphalt streets in the Town of Billerica right-of-way that are under five (5) years old, including streets which have been asphaltic surfaced, resurfaced, plant mixed sealed, reconstructed or newly constructed. This provision may be waived if the contractor shall meet with representatives of the Department and thoroughly review his plans for the proposed job and has acquired permission from the Town. This provision, however, shall not prohibit any emergency utility work which must be performed.

The Director of Public Works, under certain circumstances, may allow cuts, with the following additional requirements and fees:

The permit fee will be the standard fee plus \$200 for each full or partial year of moratorium remaining. This increased fee is to cover the costs of additional years of inspecting the quality of the trench repair, per section 3.3.

Example: Typical permit fee for transverse cut = \$100
 Road is under moratorium for 3 more years.
 Permit fee will be $\$100 + (3 \times \$200) = \$700$

The bond will be calculated at time of application based on the scope of project.

The bond will not be refunded until the road is no longer under moratorium. At such time, the Town, at the request of the Contractor, shall inspect the trench, and inform the Contractor if trench repair is in acceptable condition, or if additional repair is required. If the trench needs additional repair, the contractor shall be responsible for repairing or replacing the patch prior to release of the bond.

All standard requirements must be met, as well as additional requirements as directed:

- Full width overlay or full width mill and overlay, or Infra-Red Repair (as directed) may be required to the limits as determined by the Billerica DPW.
- All trenches shall be backfilled using flowable fill, to 1' beyond edge of road at bottom of trench, up to 16" below finish pavement, after placing 1' stone or compacted sand around and above the pipe. 12" Dense Graded Crushed Stone shall be placed on top of the flowable fill (compacted in 2 lifts), then 2.5" Binder, and 1.5" top pavement shall be placed. All edges of trench shall be saw-cut, tacked and sanded. The flowable fill allowance shall be calculated based on proposed work.
- All manholes, gates, catch basins, etc must be adjusted to final grade and inspected prior to overlay. Any keyways to be milled (or approved alternative) a minimum of 4' wide, and must be inspected prior to overlay. Full area of roadway to be tacked prior to overlay.
- All joints to be tacked and sanded.
- All lawns, driveways, walks, etc. effected by overlay must be addressed. (Driveway and walk aprons, loam and seed or gravel edge of road, as needed to eliminate any drainage, safety or other concerns of abutters).
- Any damage done to adjacent roadway or property must be corrected as approved by the Billerica DPW.

Contractor must schedule inspections for all steps of construction. Failure to call for inspections shall be cause for non-release of the bond, and removal of the contractor from the drain layers list.

4.2 Any work done under this permit shall result in repairs being made to the street or other Town property involved, said repairs causing the street or property to be returned to a condition equal to or better than the original, within the limits of careful, diligent workmanship, good planning, and quality materials. These repairs must be accomplished in the least possible time with the least disturbance to the normal function of the street or other property. All surface cuts shall be made with straight boundaries and all cuts shall be within 5° of vertical. In cases where caving or slump of a cut face occurs from under any roadway surfacing, slab, or bound type base, the dimensions of the cut shall be extended 12" beyond the point of occurrence of caving or slump.

4.3 The excavated material shall not be placed on any portion of the traveled roadway at any time, unless written approval is received from the Department of Public Works.

4.4 All work in connection with blasting operations, including necessary and proper safety precautions, shall be performed under the supervision of a licensed blaster. The contractor shall comply with all laws, ordinances and regulations, relative to the handling, storage and use of explosives and the protection of life and property, and shall be responsible for all damages thereto caused by his blasting operations.

Suitable weighted plank coverings or mattresses shall be provided to confine all materials lifted by blasting within the limits of the excavation trench.

4.5 Except where trench banks are cut back on a stable slope to prevent caving or sliding, trenches shall be properly and substantially braced, and sheeted where necessary, to prevent caving or sliding. Cross braces installed for the purpose of supporting sheeting in the bottom of the trench shall be removed after the specified tamped embedment has been completed beyond the point of cross brace removal.

5. BACKFILL

5.1 Backfill of Local Roads and all roads requiring overlays

All backfill materials, compaction, and resurfacing of any excavation made in the Town right-of-way will be done in accordance with the provisions as follows: Backfilling and compacting shall begin after first having properly bedded and compacted to a depth of not more than one foot over the top of the structure or utility line being installed or repaired in accordance with the specifications of the owner responsible for the maintenance of the structure or utility line.

Compacting of backfills must progress by placing backfill in 8 inch courses, loose measurement, thoroughly compacted and wetted as necessary to achieve greater than 95% relative compaction as tested in accordance with AASHTO Designation T180 Modified Proctor. Exception to the 8 inch course will be based on the type of equipment used, its capabilities, and will require approval from the Department's Engineer in writing.

Compaction tests shall be taken on cross-cuts at the request of the Department, at the cost of the contractor. Said tests shall be taken at the depth, locations and frequency specified by the Department.

Compaction tests shall be required on longitudinal cuts of 300 feet or more; and shall be taken, if requested by the Department, on longitudinal cuts of 300 feet or less. Said tests shall be taken at the depths, locations, and frequency specified by the Department at the cost of the contractor.

The contractor shall have the compaction tests conducted by an approved testing laboratory. A copy of the results shall be furnished to the Department no later than five (5) days after the test is conducted.

Compaction tests do not relieve the contractor of his obligation to maintain said repairs as guaranteed under Section 2.

5.2 Backfill of Arterial and Collector Roads where overlays are not required

The trench shall be backfilled with Controlled Density Fill (CDF). The CDF must be batched at a concrete plant, be flowable, require no vibrating, and the finished product must be excavatable without the use of power tools.

Flowable fill shall be placed to 1' beyond edge of road at bottom of trench, up to 16" below finish

pavement, after placing 1' stone or compacted sand around and above the pipe. 12" Dense Graded Crushed Stone shall be placed on top of the flowable fill (compacted in 2 lifts), required pavement shall then be placed.

Flowable mortar shall be discharged from the mixer by a reasonable means into the trench area to be filled.

If the contractor elects to use steel plates to protect the excavations, they shall be of sufficient thickness to resist bending, vibration, etc. under traffic loads and shall be anchored securely to prevent movement. If these conditions are not met the contractor will be required to backfill and pave the excavations daily. No trench shall be left open overnight.

As an alternative to CDF (flowable fill) all material excavated from the trench will be disposed of and replaced with dense graded crushed stone place in six-inch lifts and compacted to 95% Modified Proctor Standard to within two inches of the finished grade. The last two inches shall be bituminous concrete to form a temporary patch. The temporary patch shall remain in place for at least ninety days, unless otherwise directed by the Engineer. The compaction will be tested by an independent soils lab, at the contractor's expense, at every foot of backfill including the top layer. The test results shall be forwarded to the Department of Public Works.

A list of arterial and collector roads follows:

Alexander Rd	Allen Rd	Allen Rd Ext	Alpine St
Andover Rd	Baldwin Rd	Bicknell Rd	Brick Kiln Rd
Bridle Rd	Billerica Ave	Boston Rd	Bridge St
Call St	Charnstaffe Ln	Chelmsford Rd	Concord Rd
Cook St	Faulkner St	Floyd St	George Brown St
Gray St	High St	Lake St	Lexington Rd
Lowell St	Middlesex Tpk	Mt Pleasant St	Nashua Rd
Oak St	Orchard Rd	Patten Rd	Pollard St
Pond St	Rangeway Rd	River St	Rogers St
Salem Rd	School House Ln	Sheldon St	Springs Rd
Tower Farm Rd	Treble Cove Rd	Webb Brook Rd	Whipple Rd

6. PATCHING

6.1 After proper backfill procedures are completed in accordance with the preceding requirements, the vacant depth shall be surfaced to a condition equal to or better than the existing surface. Permanent repairs shall begin within twenty-four (24) hours after backfilling is completed, on streets or highways designated by the Department, and continue until all repairs are made. On all other streets or highways, permanent repairs shall be completed within a period of fifteen (15) calendar days. The twenty-four (24) hour designation will be noted on the permit at the time of issue. The following minimum standards shall apply to all resurfacing done in the Town.

6.2 Gravel Surfaced Roads: Backfill, as defined in Section 5, shall be placed to within 12 inches of the

surface, and the 12 inch vacant depth shall be filled with granular material, meeting the requirements of section M2.01.7 Dense-graded crushed stone of the Massachusetts Standard Specification for Highways and Bridges, compacted to achieve greater than 95% relative compaction as determined by AASHTO T180 Modified Proctor.

6.3 Asphaltic Concrete Surfaced Roads: Backfill, as defined in Section 5, shall be placed within 16 inches of the surface. Granular material described in paragraph 9.2 shall be placed and thoroughly wetted and compacted to achieve greater than 95% relative compaction as determined by AASHTO T180 Modified Proctor to within 4 inches of the surface. Prior to placing of asphaltic concrete, the edges of the cut and the top of the granular material shall be coated with an approved prime oil at not less than 0.30 gallons per square yard. The 4 inch vacant depth shall be filled with asphaltic concrete in 2 lifts and thoroughly compacted (2 ½" binder and 1 ½" top). Asphaltic concrete for this purpose shall meet the minimum requirements as stated in the Massachusetts Standard Specifications for Highways and Bridges for Class I Bituminous Concrete Binder course and Top course respectively. 95% of this patched surface shall match the plane of the adjacent undisturbed surface, when measured by means of a 6 foot straight edge or beam, within 1/8 inch. The edges of all trenches shall be sawcut, tacked and sanded.

When the pavement remaining between an excavation and the edge of the roadway is less than two (2) feet, the remaining area shall be removed and replaced in conjunction with the permanent pavement repair.

After the work has been completed, the Contractor shall use the Infrared Method as a surface treatment a minimum of one (1) foot beyond the limits of the trench, if directed. The Infrared Method shall be used only in cases where overlays are not required.

6.4 During cold times of the year with temperatures below 40°F, when hot plant-mixed asphalt is unavailable to use, cold plant-mixed asphaltic concrete shall be placed using above stated procedures; however, this shall not be considered a permanent patch, and the Contractor shall maintain this temporary patch as required to insure proper and safe movement of traffic until such time as a permanent patch is installed. The responsible Contractor shall install a permanent patch with Hot Asphaltic Concrete when weather conditions warm sufficiently to permit its use.

6.5 At the conclusion of any work on any street cut or opening within the Town owned right-of-way, the entire area shall be left in its original or better condition. All waste construction materials shall be removed from the site and disposed of within 72 hours. Any ditches, gutters, culverts, or drain pipes shall be left unblocked and in a condition as good as or better than the original condition. It shall be the responsibility of the contractor to replace all pavement markings which have been disturbed. These pavement markings shall be restored within ten (10) days after this work is performed or as deemed necessary by the DPW Director or his designee.

7. OVERLAYS

7.1 Overlay of the entire street width and 10 feet beyond each end of damaged area shall be required when utility installation is made longitudinally, or if trench is greater than 200 SF. All work shall be as agreed to by the Contractor and the Department, prior to obtaining a permit.

7.2 Overlay of the entire street width and 10 feet beyond each end of incorporated damaged area may be required when 2 lateral utility installations are made within 100 linear feet of street length, three lateral utility installations within 200 linear feet of street length or four lateral utility installations within 300 linear feet of street length. Five or more lateral utility installations within any street or highway length may require overlay at the discretion of the Department of Public Works Director.

8. INSPECTIONS

The only method by which the Department of Public Works may be certain that the regulations and standards are being met is through a program of inspections: prior to commencing the work, during the work, and upon completion of the work. Variations from set requirements by the inspector are permissible, if in the light of his judgment they will not adversely affect the results anticipated and desired. To function without the inspectional services offered by the Department is to operate at the risk of nullifying the work performed.

The Department cannot furnish a full time inspector to each utility installation, repair project or subdivision development, thus it behooves such project directors to inform the Department of the planned schedule of work to allow the inspectors to avail themselves when each phase of the work is being performed and to make his final inspection. If the work performed is accepted without conditions the entities doing the work or causing the work to be done will have fulfilled their responsibilities.

The inspectors employed by the Department will be authorized to inspect all work done, pertaining to work in rights-of-way, and the materials furnished. Such inspections may extend to all or any part of the work and to the preparation, fabrication, and manufacture of the materials used. The inspectors are not authorized to alter any plans or specifications nor to act as foreman for anyone.

8.1 The Inspector shall be notified 72 hours in advance of making any type of cut or doing any excavation in Town owned right-of-way except as stated in Section 9.

8.2 Inspections during the construction period will be made by the Department to insure that work is progressing in compliance with the regulations stated herein. Deviation from these regulations and requirements will be sufficient reason for shut down orders to be issued by the Department until proper corrections or adjustments have been made by the Contractor.

8.3 Before a pavement section is replaced (patched) the Contractor shall notify the Department as to the date such work is proposed. Failure of notification may result in a request to have such work re-done in order to pass a final inspection.

8.4 Upon satisfactory completion of work, including the replacement of paved sections and gravel road repairs, a final inspection shall be made. Upon the Department's approval, the permit is then released.

However, the Contractor is still held liable for his work as stated in section 2.

9. EMERGENCY WORK

9.1 Nothing in this resolution shall be interpreted to prevent said contractor from performing emergency work prior to obtaining a permit.

9.2 The Department shall be notified immediately prior to an emergency utility cut being made. In all other cases, a 72 hour advance notice shall be required.

10. NOTICE TO CONTRACTORS

10.1 Road repairs may be made by the Contractor, or by the Town upon failure of the Contractor to properly prosecute the work of resurfacing. The Town can perform the work or have the work done by contract. The contractor's cash bond will be used to pay for this work.

10.2 Costs of placing barricades and/or interim repairs required due to the failure of the Contractor to maintain safe conditions will be billed to the Contractor. These costs may also include the cost to the Town of personnel (including police details) on overtime rates due to emergency repairs performed on off-hours, or holidays.

11. PUBLIC CONVENIENCE AND SAFETY

11.1 If an opening shall cross a roadway, only one-half of the roadway shall be closed at one time. However, should the work being done necessitate closing a lane and/or roadway, a written request must be noted on the permit application. Said request may be granted. Upon acquiring an approval the applicant will notify the Department of Public Works, Police, Fire, and School Departments of the date and time the roadway will be closed. This notification should be 24 hours in advance of closure time.

11.2 Should an emergency arise which will necessitate closing of a roadway, written permission shall be waived. However, the contractor must notify all of the agencies listed in 11.1 and the Department immediately.

11.3 The contractor shall, at his expense, take all necessary precautions for the protection of his work and the safety of the public. Where normal traffic flow is to be interrupted, the contractor shall provide, erect, and maintain all necessary barricades, standard caution signs, warning signs, directional signs, flares, and lights, as determined by the plan. Said signs and their placement shall comply to the Federal Highway Administration regulations which pertain and/or as directed by the Department.

11.4 All barricades and signs shall be illuminated at night during adverse weather conditions. All illumination devices shall be kept burning from sunset until sunrise or until visibility is safe enough to warrant said devices to be extinguished.

12. TRAFFIC CONTROL

12.1 Every opening in the road rights-of-way hinders the true function of the road, whether in the traveled way or off the road proper, to serve as a thoroughfare for traffic or pedestrians. Control and regulation of utility installations is also motivated, to a large extent, by the need to protect the safety of utility workmen and equipment.

12.2 Logistical planning must be coordinated with the Department of Public Works and Police Department. Planning will determine requirements for advance warning signs, directional signs, detail officers lighting, and all such standard traffic control devices deemed necessary. Upon approval of the logistics plans and construction plans, implementation of logistics plans must be rigidly complied with by the contractor performing the work, to best guarantee the safety of the motorist, pedestrian, workmen, and equipment.

12.3 At no time will closing of a roadway be permitted without written approval from the Director of Public Works and Traffic Safety Officer. If traffic accidents or pedestrian incidents are occasioned, due to utility installations or obstructions placed in the right-of-way, such occurrence must immediately be reported to the office of the Town of Billerica Traffic Safety Officer.

12.4 Also prior to commencing work in the public right-of-way, the pertinent policing authority and Dig Safe service must be informed of such undertaking. Generally this shall be done 72 hours in advance of commencing work.

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

12.6 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 written approval from the Director of Public Works. Failure to obtain such approval may result in a fine.

12.7 Utility construction-maintenance activities which must occur on heavily traveled roadway will be prohibited during the peak traffic volume periods. Work hours will be established by the Town. The closing of any lane to traffic must have written approval from the Director of Public Works and Traffic Safety Officer.

12.8 The utility companies 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 contractor performing the work must notify the owners of such driveways in advance of closure, and must notify the owners of anticipated length of time of closure.