Section 01. Permit Required.

No person except the Director of Public Works or his Designee shall make or cause to be made any excavation or dig up paving in any street until applicant has paid the required fee and has received a written permit therefore from the Director of Public Works, except in an emergency, in which case such permit shall be secured within twenty-four (24) hours after the street has been opened.

Section 02. Record of Permits.

The Director of Public Works or such officer as the municipal officers may appoint shall be authorized to issue permits, shall keep a record of all permits granted by the Director, work done by the Town employees excepted.

Section 03. Fee Schedule.

A non-refundable fee of $50.00, payable to the Town of Fairfield, shall be paid for openings made within the right-of-way of any accepted Town street or within the Urban Compact Zone.

For excavation and related construction work, a deposit fee shall be as follows:

- Paved Surface $50.00 per Sq. Yard
- Concrete Surface $75.00 per Sq. Yard
- All other Surfaces $9.00 per Sq. Yard
- Direct Buried Cable $0.20 per Lineal Foot
- Curb Replacement $10.00 per Lineal Foot
- Driveway Entrance $35.00 per Entrance

Low impact, outside of travel way/shoulder

Large scale non-residential projects ~ The contractor/owner can request that a portion of the deposit fee be covered by providing a performance bond in the amount of the work and establishing an escrow account in the amount, at minimum, of 10% of the work.
Deposit Fee Returns

(1) Except as noted in (2) below, upon review and acceptance by the Director of Public Works, and after 90 days from the completion of the work, 90% of the deposit shall be refunded. If any part of the work is found to be defective, the contractor/owner shall be given a 24 hour deadline to correct the problem(s). If the corrective work is not completed within that time period, the deposit shall be forfeited and the town authorized to complete the work in accordance with Section 15.

(2) To ensure quality of work and warranty of placed materials. All non-residential work, meaning and intending work not for the benefit of a single private Fairfield citizen will be subject to performance bonds and/or retainage of 20% of the deposit for a length of time equal to a minimum of 1 year from date of completion. Remaining 10% deposit to be returned upon review and acceptance by the Director of Public Works after the 1 year period.

Quasi-municipal utilities, including Kennebec Water District and Kennebec Sanitary Treatment District, shall be exempt from paying deposit fees for a permit, but are required to pay the Town for administrative costs associated with project inspection and are subject to Section 15.

Section 04. Qualifications of Applicant.

Before any permit shall be issued, the applicant shall satisfy the Director of Public Works that the applicant possesses the financing, insurance, knowledge, skill, equipment, and material to perform the complete scope of the work.

Section 05. Planning, Inspection, and Approval Procedures.

Before any permit shall be issued, a plot plan and a time schedule for any street opening shall be filed with the Director of Public Works. The work in progress shall be open to the Director of Public Works and his/her designated inspectors for the purpose of inspecting and enforcing the provisions of this Ordinance and other applicable regulations. Upon completion of any project, the Director of Public Works shall inspect the resurfacing to determine whether it meets the standards set forth by this ordinance. For large-scale projects, the Director of Public Works, at his/her sole discretion, may require the contractor to pay the cost of a Town approved third party inspector to represent the Town during construction.

Section 06. Excavation Requirements.

All pavement shall be cut before excavation in such manner that the road surface shall be exposed in a clean, sharp, straight edge. Trench sides shall be shore so as to
prevent any fall-out from under the undisturbed pavement. All safety equipment necessary to perform the work in a safe, workmanlike manner will be followed.

Section 07. Backfilling.

Backfilling shall consist of placing suitable material in all spaces excavated and not occupied by drainage or other underground structures, up to the existing surface level at the bottom layer of existing asphalt. Backfill material shall consist of fine, readily compressible soil or granular material, near optimum moisture content, and shall not contain large stone, frozen material, or any other objectionable material. The final 18” of fill under road surfaces, shoulders or sidewalks shall consist of graded gravel to the specification of the Director of Public Works. All material shall be distributed in not more than 12” layers, and each layer compacted by approved compaction methods before another layer is placed. Water may be added only to improve mechanical compaction. All sheeting and bracing material must be removed as backfill operation is in progress.

Section 08. Replacement of Surface.

Paved surfaces shall be repaired temporarily with an approved cold patch to a compacted depth of 3”, rounding about 1” above the existing pavement surface. Shoulders shall be brought level with existing grades with coursed gravel. Surfaces outside the pavement line, but within the right-of-way shall be filled to existing grade to match existing material. Lawn surfaces within the right-of-way shall be finished with 6” of loam, raked, seeded and rolled. All trenches shall be repaved or resurfaced within thirty (30) days or less at the contractor’s expense, and shall be paved back to the existing thickness of the pavement with a minimum of 2” of base pavement and at least 1” of surface.

Section 09. Responsibility of Maintenance.

It shall be the responsibility of the contractor, utility, and/or permit-holder to repair any trench settling for three (3) years from the date of paving.

Section 10. Responsibility of Safety.

After excavation and before permanent pavement, the trench remains the responsibility of the contractor and/or permit-holder. When a person is permitted, in accordance with the provisions of this Ordinance, to occupy any part of a street for building purposes, such person shall erect and maintain around the part so occupied, a sufficient fence to prevent injury to persons, animals or vehicles passing the premises, and keep the same property lighted at night. Temporary sidewalks shall be provided when requested by the Director of Public Works. If the road will be temporarily closed due to construction, it is the contractor’s responsibility to notify the Fairfield Police Department, Public Works Department, Fire Department and the M.S.A.D. #49 Bus Garage.
Section 11. Unaccepted Streets and New Construction.

Permits shall not be required on unaccepted streets or new construction, but the requirements of Section 07 shall be in effect on any project under the jurisdiction of the Director of Public Works.

Section 12. Street Openings Beyond the Scope of this Ordinance.

It is the intent of this article to authorize the Director of Public Works to control all excavation, backfill, and surface procedures within any Town right-of-way. The fee schedule is based on a value that will incur no cost to the Town. Large project costs may be negotiated with the Director of Public Works, and a permit issued to an applicant at a cost of less than that specified in Section 03, this cost to be actual cost to the Town for inspection. Surfacing on large projects may be performed by a contractor or applicant approved by the Director of Public Works. No project under twenty (20) square yards of surface opening shall be deemed "large."

Section 13. Unpaved Streets and Roads.

Street openings and unpaved streets and roads shall conform to all the sections of this Ordinance with the following exceptions:

(A) Under Section 08, the requirement for applying cold patch shall not pertain. Gravel surface shall be brought slightly above existing roadbed and compacted.

(B) Under Section 06, it will not be necessary to cut the road surface before excavation.

Section 14. Winter Openings.

Any road or sidewalk opening after October 1st shall be paved immediately after project completion. No permits shall be issued between October 31 and March 31, except on an emergency basis, to be determined by the Director of Public Works.

Section 15. Penalties Provided.

If a person or firm improperly repairs or fills an opening, the municipal officers or their appointees may have the work redone properly and shall keep an account of the cost of redoing this work.
A person or firm in default shall pay a penalty equal to the cost of redoing the work plus 50%, but in no case shall the total of work and penalty be less than $100.00. After the work is completed and the cost of the work is determined, the municipality may not issue a new permit to a person or firm in default until it has received, in addition to the fees provided in Section 3 and the amount of the penalty provided in this section.


__________________________
Robert Sezak, Chairman

__________________________
John Picchiotti, Vice-Chairman

__________________________
Michael Taylor, Secretary

__________________________
Aaron Rowden

__________________________
Stephanie Thibodeau

ATTEST, A True Copy,

__________________________
Christine Keller, Town Clerk
### Town of Fairfield Utility Separations

<table>
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<tr>
<th>Utilities</th>
<th>Minimum Separation</th>
<th>Recommended Separation</th>
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<tr>
<td>Water and storm drains</td>
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<tr>
<td>Water and natural gas</td>
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<tr>
<td>Water and electric</td>
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<tr>
<td>Water and telephone/cable</td>
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<tr>
<td>Sewer and storm drains</td>
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Separation distances include from utility poles. These separation distances are from outside edge to outside edge of utilities.