

ORDINANCE NO. 411-0

AN ORDINANCE ADOPTING A CODIFIED RIGHT-OF-WAY CONSTRUCTION AND ACCESS CODE UNDER TITLE 6 OF THE PUBLIC WORKS CODE AND REPEALING CERTAIN ORDINANCES.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE:

Section 1. Intent and Scope of Authority.

Pursuant to the statutes of the State of Oregon and the powers granted in the Charter of the City of Troutdale the City does hereby declare and reaffirm its intention to:

- a. Control excavation, installations, and construction within City rights-of-way, easements or upon other municipal property as may be deemed proper by the Common Council of the City of Troutdale.
- b. All City divisions and departments together with all persons, companies or corporations referenced by this Code whether inside or outside the City limits shall be bound by this Ordinance.

Section 2. Adoption.

The attached right-of-way construction and access code is adopted individually and is considered a Chapter of the Public Works Code.

Section 3. Severability.

It is hereby declared to be the intension of the Common Council that the Sections, subsections, paragraphs, provisions, clauses, phrases and words of this code are severable; and if any Section, subsection, paragraph, provision, clause, phrase or word of this code is adjudged or declared by any Court of competent jurisdiction to be unconstitutional or invalid, such judgement shall not affect the validity of the remaining portions of this Code; and it is hereby expressly declared that every other Section, subsection, paragraph provision, clause, phrase or word of this code enacted, irrespective of the enactment or validity of the portion hereof declared to be unconstitutional or invalid is valid.

Section 4. Repeal of Ordinances.

All ordinances enacted prior to this ordinance that contain discrepancies, or are deemed to be in conflict with this ordinance, are hereby repealed either in total or part. The

repeal of previous ordinances is limited only to those specific Sections, subsections, paragraphs, provisions, clauses, phrases or words, that conflict with or are superceded by this ordinance.

Section 5. Effective Repeal.

The repeal of an ordinance shall not revive any ordinance in force before or at the time the ordinance repeal took effect. The repeal of an ordinance shall not affect a punishment or penalty incurring before the repeal took effect nor a suit, prosecution or proceeding pending at the time of the repeal for an offense committed under the repealed ordinance.

Section 6. Franchise Agreement Conflicts.

This Ordinance is not intended to replace specific provisions of any franchise or other agreement. In case of conflict the provisions of the franchise shall prevail unless jointly executed waivers are substituted. The City may execute additional agreements with franchised utilities and the provisions of those agreements shall prevail in case of conflict.

Section 7. Other Laws Applicable.

This ordinance shall in no way be a substitute for, or eliminate the necessity for, complying with any and all state laws and rules and other laws which are now or may be in the future in effect which relate to the activities regulated under this title.

Section 8. Nonexclusive Effect.

The codification and enactment of this title shall not be interpreted or deemed to be exclusive. Ordinances not codified shall remain in force and effect.

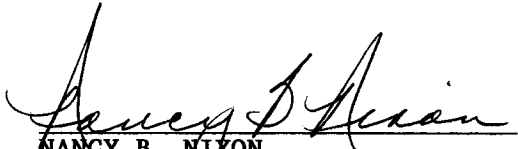
PASSED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THIS 13th DAY OF December, 1983.

YEAS: 6
NAYS: 0
ABSTAINED: 0


SAM K. COX, MAYOR

DATE SIGNED: 12-14-83

ATTEST:


NANCY B. NIXON
FINANCE DIRECTOR/CITY RECORDER

6.XO.005 **TITLE.** Chapter 6.XX shall be known as the City of Troutdale Public Right-of-Way Construction and Access Code.

6.XO.010 **INTENT AND SCOPE OF AUTHORITY.**

Pursuant to the statutes of the State of Oregon and the powers granted in the Charter of the City of Troutdale, the City does hereby declare and reaffirm its intention to:

- a. Control excavation, installations and construction within City rights-of-way, easements or upon other municipal property as may be deemed proper by the Common Council of the City of Troutdale; and,
- b. Declare that all City divisions and departments together with all persons, companies or corporations referenced by this Code whether inside or outside the City limits, shall be bound by this Ordinance.

6.XO.015 **DEFINITIONS.**

For the purpose of these rules, certain forms, phrases and words and their derivatives shall be construed as specified in this section. Words used in the plural shall include the singular, and words used in the singular shall include the plural. References to him shall also mean her and any gender reference shall also apply to the other.

Applicant means the corporation, company, firm, business, partnership, individual or individuals named in the permit and/or the agents, employees, representative, or contractors thereof.

Approach means that section of the road right-of-way between the outside edge of the shoulder or curb line and the right-of-way which is designated as a roadway for the movement of vehicles between the road and the abutting property. **Approaches** may be roads, alleys, driveways or other vehicular access structures.

Apron means that portion of the driveway approach extending from the gutter flow line to the property line.

Buried Cable means any and all cables, wires, conduit, pedestals, and/or related fixtures.

Curb return means the curved portions of a curb in the end slopes of a driveway approach or street intersection.

Director means the Director of Community Services or designated representative.

Driveway means an area designated for vehicular use, other than a designated parking area, not dedicated or set aside for public use.

Driveway approach means an area, construction or improvement between

the roadway of a public street and private property, such as a parking area, a driveway, or a door at least seven feet wide, intended and used for the ingress and egress of vehicles. The component parts of the driveway approach are termed the apron, the end slopes or the curb return.

End slopes means those portions of the driveway approach which provide a transition from the normal curb and sidewalk elevations to the grade of the apron, either by means of a sloping surface or by means of a curb return together with the area between the projected tangents of the curb return.

Inspector shall mean an authorized representative of the Director assigned to make inspections.

May is permissive.

Person means every natural person, firm, copartnership, association, public or private corporation, or district.

Pipe Line shall mean any and all pipe lines, meters, meter boxes, hydrants, valve boxes, vaults, manholes, conduits and/or related fixtures.

Pole Line means any and all poles, wires, guys, anchors, and/or related fixtures.

Public Easement means entire width of established utility, access or other publicly reserved properties for both general and specific use.

Right-of-way means the entire width between exterior right-of-way lines including the paved surface, shoulders, ditches and other drainage facilities and the border area between the ditches or curbs and the right-of-way line.

Rule refers to rules and regulations adopted under the public works code, standard document, and/or other applicable ordinances, resolutions or administrative standards.

Shall is mandatory.

Sidewalk means an area specifically delineated and constructed for pedestrian use located behind a curb but within public right-of-way.

Sign shall mean any and all signs and related fixtures.

Special Provisions means those provisions so designated in the permit and the attachments thereto setting forth special provisions such as, but not limited to controls, dimensions, and also including design location details governing that individual permit.

Street or Alley means every way or place open as a matter of right to the use of the public for vehicular or pedestrian traffic between

right-of-way lines.

6.X1.000 GENERAL APPLICATION REQUIREMENTS AND PROCEDURES

6.X1.110 Permit Types. A permit shall be required for any construction or installation within the public right-of-way or easement or for any substantial modification of existing construction or use in the right-of-way. Application for such permits shall be made at the Troutdale City Hall.

The two most common operational permits are:

- o Application and permit to occupy and perform operations upon a city road, dedicated street or public easement, also known as a "**Utility Permit**", which governs the construction, installation, removal, repair, etc., of utilities, signs and other facilities in public rights-of-way or easements.
- o Application and permit to construct road approach, private access, sidewalks, curbs and gutter, crossings and other facilities upon right-of-way, also known as a "**Encroachment Permit**".

6.X1.120 Permit Standards and Conditions. Specific standards for the design and construction of facilities governed by these permits may be found in Sections **6.X2.000** and **6.X3.000**. These sections also describe the requirements for plans and other information necessary for approval of a permit application.

Permits are issued subject to the approval of city, state or other governmental agencies having either joint supervision over the section or road, or authority to regulate land use by means of zoning and/or building regulations. It shall be the Applicant's responsibility to determine the necessity of and obtain any such permit and approvals which may be required.

Granting of a permit is conditioned upon replacement or restoration of the road and right-of-way or easement to its original or to a satisfactory condition by the Applicant.

The Applicant shall be responsible for relocating or adjusting any utility facilities located on or within the road right-of-way as required to accommodate the road approach or other facility applied for. Construction of the utility, road approach or other facility by the Applicant, his agent or contractor, will be permitted only after the Applicant has furnished the Director of Community Services evidence that satisfactory arrangements for said relocation or adjustment have been made with the owner of the affected utility or facility.

Applicant must pay fees as required in Section **6.X1.280** and provide insurance and bonding, if required, prior to release of the permit.

6.X1.130 Permit Implementation

- a. Applicant or his contractor shall advise the Director at least forty-eight (48) hours in advance of commencing construction of the approach, utility, or other facility authorized by the permit. Consideration and flexibility will be extended to the applicant for "emergency" situations. Standard and routine "service" lines, laterals, meters, etcetera of the franchised utilities are not subject to the prior notification provisions of this Code unless they substantially effect or impact traffic flow, safety, etc. The City may require adjustment of the construction schedule to permit inspection by the City.
- b. The road approach or other facility shall be constructed in conformance with the special provisions and exhibits contained in and attached to the permit. The applicant shall notify the Director when construction of the approach or other facility has been completed. The Director may then inspect the completed work and advise Applicant in writing whether or not the work has been constructed in a satisfactory manner. If not, the Applicant shall promptly correct any deficiencies outlined by the City of Troutdale.

6.X1.200 Specific Application Standards and Procedures.

6.X1.210 Effective Period of Permit.

- a. Unless otherwise provided in the special provisions, the utility permit shall be in effect for the period specified on the permit unless sooner revoked by mutual consent or by the Director for failure of the Applicant to abide by the terms and conditions of the permit, or by operation of the law, or at the time the applicant (if a company or corporation) to whom the permit is issued ceases operation, the City may issue an annual permit to franchised utilities based upon their projected activity. This annual permit does not relieve the applicant from any of the other responsibilities of this Code.
- b. Unless otherwise provided in the special provisions, an encroachment permit shall be valid for ninety (90) days from the date issued, unless revoked by mutual consent, or by the Director for failure of the Applicant to abide by the terms and conditions of the permit, or by operation of the law.
- c. Failure of the Applicant to comply with any of the terms and conditions of the permit shall be sufficient cause for cancellation of the permit and may result in removal of the utilities, approaches or other facility by the City at Applicant's expense, as provided under O.R.S. 374.320.
- d. The permit, the privileges granted herein and the obligations of the Applicant created thereby shall be binding upon the successors and assigns of the Applicant.
- e. If the Applicant fails to complete installation of the road

approach, utilities, or other facility covered by the permit within the period specified, said permit shall be deemed null and void and all privileges and fees thereunder forfeited, unless a written extension of time is obtained from the Director.

6.X1.220 Allocation of Costs.

- a. The entire cost of installing, maintaining, repairing, operating, or using the road approach, sidewalk, pole line, buried cable, pipe line, sign, or miscellaneous facility; of performing miscellaneous operations; and of any other expense whatsoever incident to the facilities or operations authorized by the permit shall be paid by the Applicant.
- b. The Applicant shall reimburse the City for any reasonable and necessary expense that the City may incur in connection with the facilities or operations authorized by the permit. The reimbursement to the City shall be made by the Applicant within thirty (30) days after receiving a statement therefor from the Director. These may include, but are not limited to the following:
 - (1) Emergency repair by persons other than the applicant when authorized by the Director.
 - (2) Emergency traffic control by persons other than the applicant when authorized by the Director.
 - (3) Quality testing as required under the terms of the permit, or when ordered by the Director to establish permit compliance and the test determines the applicant's work to be in non-compliance.
 - (4) Repair of non-conforming installation (non-emergency) thirty (30) days after notification by the Director of a non-conforming installation.
- c. In the event reconstruction or widening of any road requires the removal, alteration or reconstruction of a road approach constructed under authority of a permit or constructed prior to date of ordinance effect, the cost of such removal or replacement to a like width and condition will be borne by the City. Any widening or other improvement of the road approach at the Applicant's request shall be done only under authority of a new permit and at the expense of the Applicant.
- d. In the case of encroachment permits, the entire cost of maintaining the road approach from the outside edge of the shoulder or the curb line to the right of way line or other work performed within the public right of way shall be the responsibility of the Applicant.

6.X1.230 Liability and Control.

- a. The Applicant shall be responsible and liable for all accidents, damages or injuries to any person or property resulting from the construction, maintenance, repair, operation or use of the permitted approach road, utility installation or other facility for which the Applicant may be legally liable, and the Applicant shall indemnify and hold harmless the City of Troutdale, its City Council, the members thereof, and all officers, employees or agents of the Council against any and all damages, claims, demands, actions, causes of action, costs and expenses of whatsoever nature which they or any of them may sustain by reasons of the acts, conduct or operation of the Applicant, his agents or employees in connection with the construction, maintenance, repair, operation or use of said approach road, utility installation or other facility.
- b. The City Council, Director, officers or employees shall not be held responsible or liable for injury or damage that may occur to facilities covered by the permit or any connection or connections thereto by reason of road or other maintenance and construction operations or resulting from motorists or road user operations or highway contractor or applicant operations.
- c. The Applicant shall employ any and all methods in performing the operations authorized by the permit which the Director may require in order to properly protect the public from injury and the road from damage.
- d. During the initial installation or construction of the facility authorized by the permit, or during any future repair, removal, or relocation thereof, or during any miscellaneous operations, the Applicant shall at all times maintain such flagmen, signs, lights, flares, barricades and other safety devices as the Director may deem reasonably necessary to properly protect traffic upon the road, and to warn and safeguard the public against injury or damage. The Applicant shall be required to maintain said signs, lights, flares, barricades and other safety devices during non-work hours. The Director may request, and will be furnished, the telephone number and/or address of a person or persons responsible for the safety requirements prescribed in this Code.
- e. The Applicant shall so conduct his operations that there will be a minimum of interference with or interruption of traffic upon and along the road until a plan for the satisfactory handling of traffic has been worked out and approved by the Director. In emergencies, the Applicant shall notify the Director as soon as possible.
- f. All traffic control and safety devices used for protection of the work areas shall conform to the current provisions of the "Oregon Manual on Uniform Traffic Control Devices, Technical Bulletin No. 28 or its applicable successor publication.

- g. To insure compliance with the terms and conditions of the permit, the Director reserves the right to inspect the job during such periods as the Director deems necessary, to check compliance with the terms of this permit by the Applicant and to require the Applicant to correct all deviations from those terms and conditions. The cost of such inspection is included in the permit fee. However, if actual inspection costs reasonably incurred exceed permit fees, additional fees may be assessed.
- h. Any supervision and/or control exercised by the Director shall in no way relieve the Applicant of any duty or responsibility to the general public nor shall such supervision and/or control relieve the Applicant from any liability for loss, damage, or injury to persons or property as provided in the public works code and/or other state, federal or local statutes.
- i. The decision of the Director shall be final with respect to any of the conditions, terms, stipulations, and the provisions of the permit. This shall not foreclose Applicant's right of appeal.

6.X1.240

Insurance and Bond.

- a. When requested by the Director, the Applicant shall obtain and carry, for the period of time required for the complete installation of the facilities authorized by the permit, including the repair and restoration of the road facilities, and also during such future periods of time when operations are performed involving the repair, relocation or removal of said facilities authorized by the permit, a liability and property damage insurance policy or policies. Coverage shall be provided against any claim, demand, suit, or action for property damage, personal injury, or death resulting from any activities of the Applicant, his officers, employees, agents or contractors in connection with the construction, installation, repair or removal of the said facilities authorized by the permit. The said policy or policies shall include as named insureds City of Troutdale, Oregon its City Council, officers, agents and employees, except as to claims against the Applicant, for personal injury to any members of the Council or its officers, agents and employees, or damage to any of its or their property. The said insurance shall provide coverage not less than for the following amounts: \$50,000 for property damage resulting from any single occurrence, and \$100,000 for the death or injury of any person, subject to a limit of \$300,000 for injuries or deaths resulting from any single occurrence. The said insurance policy or policies shall be in any insurance company duly authorized and licensed to do business in the State of Oregon. A copy of the policy or policies, or a certificate evidencing same shall be submitted to the Director, and approved by him before any work is commenced under this permit. The Applicant and/or its contractor's insurer shall give the City Council ten (10) days written notice in advance

of any cancellation of insurance required in the terms of these General Provisions. Franchised utilities that are "self insured" shall provide the City with acceptable evidence of protection in the form and amounts specified in this section.

- b. The Director may require an Applicant or his contractor to furnish a bond in an amount determined by the Director to be sufficient to indemnify the City for reasonable expenses incurred to perform the work or obligations set forth in the permit or this Code. The bond may apply to a single permit or to multiple permits as the Director and the Applicant's need for permits in the City of Troutdale may dictate. That liability upon said bond, whether for singular or multiple permits, shall extend for a period of not less than two years from the time work is started on the installation of the facilities authorized by the initial permit and two years thereafter for each permit issued, which work shall include repair and restoration of the road facilities, and also during such future periods of time when operations are performed involving the repair, relocation or removal of said facilities authorized by any permit. The bond must be in a form approved by the Director and written by a surety company duly qualified and licensed to do business in the State of Oregon. No work may be performed under any permit unless the single or multiple permit bond is on record with the Director.

6.X1.250 Disturbance of Existing Conditions.

6.X1.251 Road Surface. Care shall be taken to see that the road surface and improvements beyond the work areas are not damaged, and any damages resulting from the Applicant's operation shall be repaired or replaced by the Applicant (see Sections **6.X2.530** and **6.X2.540**). Protective measures and devices shall be used on all equipment (See .530 and .540.)

6.X1.252 Existing Utilities. All existing underground utilities shall be protected and kept in operation so far as possible. If it becomes necessary to interrupt service of any existing utility, the Applicant shall first obtain the consent of the public utility or private utility owner. The applicant shall conduct the operation so as to avoid all necessary inconveniences to the user. Damage to underground utilities is the responsibility of the Applicant.

6.X1.253 Traffic Signal Detector Loops. It shall be the responsibility of the applicant or his contractor to verify before excavating in signalized intersections, the existence and location of "Traffic Signal Detector Loops."

6.X1.254 Protection of Survey Monuments. It shall be the responsibility of the applicant to determine the location of and to protect all survey monuments in the vicinity of said installation during construction. If it becomes necessary to disturb a monument or if a monument is inadvertently disturbed or destroyed during the course of the applicant's operation, the applicant shall immediately notify the

Director. The applicant shall be responsible for all costs incurred in the restoration or perpetuation of the monuments that may be disturbed due to the applicant's operation.

- 6.X1.255 **Drainage.** All road drainage facilities disturbed as a result of the Applicant's construction shall be replaced immediately after the facility has been placed, and shall be inspected by the City. Temporary drainage facilities may be required by the Director.
- 6.X1.256 **Signs and Mailboxes.** All existing street signs and mailboxes in the way of the work covered by this permit shall be removed and immediately reset temporarily in a position where they will be noticeable and serve their purpose. After the work is completed, the signs and mail boxes shall be permanently reset at their original location or locations specified by the U.S. Postal Service and/or the City of Troutdale.
- 6.X1.257 **Vegetation.** It is strictly forbidden to spray with selective herbicides, or cut or trim trees or shrubs growing on the road right-of-way unless written permission is first obtained from the Director. This provision does not apply to maintenance trimming required for safety or utility access.
- 6.X1.258 **Miscellaneous Other Structures.** The applicant is required to replace all private fences, structures, plant material, etcetera removed as required during construction. The restoration of such structures, plant beds, etcetra will be to the conditions at least equal to those prior to their removal or distruction.
- 6.X1.260 **Maintenance.**
- a. Applicant shall at all times keep facilities authorized by the permit in a good state of repair as covered and defined in local applicable codes or established standards, both structurally and, in the case of non-commercial signs, from the standpoint of appearance.
 - b. Prior to performing any maintenance work on a utility, road approach or other facility which will substantially interfere with or interrupt traffic upon or along the road, Applicant shall obtain prior approval of the Director unless the maintenance work is being performed under "emergency" conditions. Emergency condition work activity requires that the Director be notified as soon as practicable.
 - c. A road or driveway approach may be required to be removed whenever it no longer provides access for vehicles if so designated by the Director.
 - d. Upon the removal of a road approach, that portion of the road previously occupied by the approach shall be restored as nearly as practicable to a condition comparable to adjacent areas and curbing and sidewalk shall be replaced at the Applicant's expense.

6.X1.270 Removal or Relocation.

- a. The permit is issued pursuant to the laws of the State of Oregon which authorizes the City to subsequently require the Applicant to remove or relocate the pole line, buried cable, pipe line, sign or miscellaneous facility covered by the permit, at the sole cost of the Applicant, unless Federal/State grant funds have been allocated for this purpose.
- b. Upon receiving written notice from the Director to remove or relocate the said pole lines, buried cable, pipe line, sign or miscellaneous facility, the Applicant shall, within thirty (30) days, make arrangements for the removal or relocation of same, at his sole cost, in accordance with said written notice and instructions received from the Director. Before commencing said removal or relocation, the Applicant shall furnish such insurance and post such bond as the Director may consider necessary at that time in the manner provided for in Section **6.X1.240** and other sections of this and applicable codes.
- c. Should the Applicant fail to remove or relocate the said pole, line, buried cable, pipe line, sign or miscellaneous facility as provided in this section or to pay for the costs incurred by the Director for the removal or relocation of the them and it becomes necessary for the City Council to commence an action or proceeding in a court of competent jurisdiction to recover the said costs of removal or relocation then the City Council shall be entitled to recover these costs as well as applicable statutory court costs and disbursements and such additional sum as the court may adjudge reasonable for attorney's fees associated with such action.

6.X1.280 Permit Fee Schedule

- a. For underground utility, storm or sanitary sewer construction, reconstruction or repair permits, including property service and laterals not maintained by the City the fees shall be determined and set by the City Council.
- b. A fee equal to the City's plan review and/or inspection cost and overhead shall be charged for each permit authorizing work under this Code and not specified in an approved Fee Schedule.
- c. Permits required under this Code shall be issued without charge to those performing contract work on a project let by the City of Troutdale or other public agency. Compliance with the other provisions of this Code is not diminished as a result of this fee waiver unless specific plans are approved by the Director. The City of Troutdale shall not be required to permit itself.
- d. If work is constructed on a project without first securing a permit, the fee shall be double the established scheduled rates. Payment of the fee shall not relieve or excuse any

person from penalties imposed for violation of any applicable statute or Ordinance.

6.X2.000 DESIGN AND CONSTRUCTION STANDARDS FOR UTILITY LOCATION AND OTHER FACILITIES IN THE RIGHT OF WAY

6.X2.100 Plans Required.

6.X2.110 The Applicant shall, if required by the Director, submit with his permit application, prints of adequate drawings or sketches showing in detail the location of the proposed facility or operation as described in the permit application with respect to existing and/or planned road improvement and the right-of-way lines. Five (5) prints of the drawings or sketches are required. When attachment to a road structure is involved, details of the attachment method shall be included.

6.X2.111 The Applicant's completed facility shall be in conformance with the drawings or sketches referred to above, unless special permission has been obtained from the Director to vary from same during installation. When such permission is obtained, the Applicant shall furnish the Director four (4) sets of "as constructed" drawings or sketches detailing any such variances.

6.X2.112 When the proposed facility involves pressure pipe lines the applicable codes, regulations and standards governing the operation of the utility shall apply.

6.X2.200 Design Standards.

6.X2.210 All work in connection with the facility authorized by the permit shall be done in a neat and workmanlike manner to the satisfaction of all applicable standards. The details of construction of the same shall conform to the established rules and regulations now in effect or which may hereafter be put in effect by the Public Utility Commissioner of the State of Oregon, the Oregon State Board of health, or other governmental agencies having regulatory authority over said facility. In the event the above agencies do not prescribe standards which provide the degree of protection equal to the following industry codes, then the appropriate industry codes shall apply.

6.X2.220 United States of America Standards Institute, 10 East 40th Street, New York, New York 10016.

- a. USAS B 31.1.0 -- Current Issue -- Power Piping Systems.
- b. USAS B 31.3 -- Current Issue -- Petroleum Refinery Piping.
- c. USAS B 31.4 -- Current Issue -- Liquid Petroleum Transportation Piping Systems.
- d. Parts 191 and 192, Title 49, Code of Federal Regulations, "Regulations for the Transportation of Natural and Other Gas by

Pipeline."

- 6.X2.230 American Petroleum Institute, 1271 Avenue of the Americas, New York, New York 10020.
- a. API RP 1102 -- Current Issue -- Recommended Practice for Liquid Petroleum Pipelines Crossing Railroads and Highways.
- 6.X2.240 American Water Works Association, 2 Park Avenue, New York, New York 10016.
- a. AWWA Standards and Specifications -- Current Issue.
- 6.X2.250 National Bureau of Standards, U.S. Department of Commerce (for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20401).
- a. National Electric Safety Code -- Current Issue.
 - b. Safety Rules for the Installation and Maintenance of Electric Supply and Communications Lines -- Current Issue.
- Pipe used as a conduit or casing pipe shall conform to requirements of the current issue of "State of Oregon, Standards Specifications for Highway Construction."
- 6.X2 .260 American Public Works Association, Oregon Chapter. PSU, P.O. Box 1394, Portland, OR 97202
- a. Standard specifications and standard drawings for public works construction.
- 6.X2.270 Oregon State Highway Division, Salem, OR.
- a. Standard specifications for Highway Construction Oregon, 1974 or latest revision.

- 6.X2.300 Location.
- 6.X2.310 Water mains shall be located on the south and east sides of the road four (4) feet into the street from the curb face or as instructed on the permit.
- 6.X2.320 Sanitary and Storm Sewer. Sanitary sewer lines shall generally be located on the roadway centerline at a depth of not less than six (6) feet. Other locations may be approved depending upon design, topography, or special conditions designated in the application. Storm sewer lines shall be located six (6) feet on either side of the roadway centerline or as approved on the application.
- 6.X2.330 Natural Gas. Gas mains shall be located on the north and west sides of the road. Mains four (4) inches and larger shall be located four (4) feet into street from the curb face. Mains smaller than four (4) inches shall be located in accordance with applicable local standards or as approved by the Director.
- 6.X2.340 Power, Telephone & Other Cable. Shall be located in a zone between the curb and abutting the property line as provided in applicable City standards or as directed on the application, and shall be joint occupancy whenever possible.
- 6.X2.350 Pedestals for Buried Cable. Pedestals installed as part of a buried cable installation are to be located one foot from the right of way line unless special permission is obtained from the Director to locate elsewhere. In no case shall the pedestals be located within the road maintenance operating area, including mowing operations, or nearer to pavement edge than any official road sign in the same general location.
- 6.X2.360 Service Crossings. Service crossings shall maintain a depth within six (6) inches of the same depth as the main pipe line or buried cable to a point two (2) feet behind the curb or center of road ditch, but in no case shall there be less than eighteen (18) inches of cover from the bottom of the curb or ditch to the top of the service line.
- 6.X2.370 Depth. The depth of utilities on improved roads shall be eighteen (18) inches below subgrade or thirty (30) inches below the road surface whichever is greater. All power and telephone service shall maintain a cover of thirty-six (36) inches. All depths are to top of pipe line or buried cable, and may be specifically greater as designated herein or required by the Director.
- 6.X2.400 General. Unless special permission is first obtained from the Director to open cut the pipe line or conduit which crosses under the surfaced portion of the road, including shoulders, road or street connections, or road approaches or driveway, shall either be tunneled, jacked or driven, or placed in a hole bored under the surface for that purpose in accordance with the following provisions:

- a. The relationship of trenches to the fill slope toe in fill or the point where the outer edges of the surfacing meet the subgrade in other sections shall be as specified in the special Provisions.
- b. If the tunneling method is used, it shall be by an approved method which supports the surrounding materials so as to prevent caving or settlement. Areas around the installed pipe or conduit shall be backfilled with moist sand, granular material or cement grout, filling all voids and packed in place with mechanical tampers or other approved devices. Lagging, bulkheading and timbering shall be removed as the backfilling progresses.
- c. When the jacking or driving, or boring method is used, it shall be by approved means which will hold disturbances of surrounding material to a minimum. Sluicing and jetting is not permitted unless specifically approved by the Director. Voids or displacement outside the outside perimeter of the pipe, conduit or cable greater than 0.1 foot, shall be filled with sand or cement grout packed in place.
- d. The backfilling of all trenches, excavations and tunnels must be accomplished immediately after the facility authorized by the permit has been placed therein and must be well tamped and fully compacted so as to allow the least possible amount of subsequent settlement.

6.X2.500 Trenching and Pavement Cutting.

6.X2.510 General Limitations.

- a. Trench width shall be confined to minimum dimensions which will permit proper installation and acceptable pipe loading as established by current engineering practices and as approved by the Director.
- b. No more than three hundred (300) feet, or an amount specified on the application or by the Director, of trench longitudinally along the road shall be open at one time and no trench shall be left in an open condition overnight unless authorized by the Director, except for the portion necessary to commence work the following morning.
- c. In trenching across the road, no more than one-half ($\frac{1}{2}$) of the traveled way is to be opened at one time unless adequate traffic passage is maintained.

Closure of intersecting streets, road approaches or other access points will not be permitted without advance approval from the Director. Upon trenching across such facilities, steel running plates, planks or other satisfactory methods shall be used to provide for traffic to enter or leave the road or adjacent property.

- d. The trench edges in paved areas shall be sawed or cut to neat lines to provide edges which are straight and free of irregularities, by methods satisfactory to the Director, to a depth sufficient to permit removal of pavement without damage to pavement left in place. Pavement within the cutting limits together with all other excavated material shall be removed and disposed of outside the road right of way at a location designated on the application or approved by the Director.
- e. Unless special permission is first obtained from the Director, direct burial of cable placed by the ploughing method shall be limited to areas outside the surfaced portion of the highway.
- f. All debris, refuse and waste of all kinds which may have accumulated upon the road from time to time shall be removed as directed or immediately upon completion of the said operations, and the said road right of way must be restored to at least as good condition as it was prior to such operations.
- g. Standard warning signs for buried power or communications cable and for pipe lines carrying gas or flammable liquids shall be placed along longitudinal installations as required by current PUC order or as specified by the Director. Signs shall be offset as near the right of way line as practical.

6.X2.520

Backfilling.

- a. Immediately after the facility authorized by the permit has been placed in the trench, the trench shall be backfilled with approved granular material, which is free of humus, organic matter, vegetable matter, frozen material, clods, sticks, and debris and contains no stones having a dimension greater than three (3) inches. Said granular material shall be placed to an elevation which will allow placing the foundation material and wearing surface. Native backfill material may be allowed by the Director in trenches not part of an existing or planned roadway structural section.
- b. When, in the opinion of the Director, the excavated material is unsuitable for backfill, this material shall be hauled away and granular backfill material satisfactory to the Director shall be used.
- c. Within the roadway area, trench compaction shall be ninety-five (95) percent of maximum density at optimum moisture content to the standards of the adjacent conditions, or other standards the Director may require. Compaction equipment must be on job site before excavation is started. Compaction equipment must be capable of compacting within the trench width limits to prevent bridging caused by straddling the ditch.
- d. A temporary patch of cold-mix shall be placed on all pavement surface cuts immediately after backfilling has been completed

and shall be removed at the time permanent patch is made unless the permit designates otherwise.

6.X2.530 Restoration of Paved Areas.

6.X2.531 Foundation Material. 3/4" - 0" coarse base material shall be replaced for removed stone base in compacted layers not to exceed six (6) inches, to a total compacted thickness of eight (8) inches for residential streets and twelve (12) inches for collector streets or to the thickness of the removed base, whichever is greater. Bituminous treated base shall be replaced with asphaltic concrete in maximum three (3) inch lifts or 1500 lb. concrete, to a thickness of twelve (12) inches or to the thickness of the removed base, whichever is greater, to within three and one-half (3½) inches of road surface to allow for final two (2) inches of B-Mix and one and one-half (1½) inches of C-Mix. Treated base design roads must be cut to bottom of treated base by means of a pavement saw or other circular cutting disk. Where treated subgrades (i.e., lime treated, cement treated, etc.) are encountered, special replacement requirements will be determined by the Director. The Directory may allow for the restoration of pave areas to the standards and conditions of the area adjacent to the trench or excavation.

6.X2.532 Wearing Surface.

- a. Where original surface was asphalt concrete, bituminous treatment or mix, or oil mat: Asphalt concrete shall be compacted in layers not to exceed three (3) inches to a total compacted thickness of four (4) inches or the thickness of the removed pavement, whichever is greater and finished as set forth in Subsection "d" below.
- b. Where original surface was portland cement concrete: portland cement concrete placed to a thickness of six (6) inches or the thickness of the removed pavement, whichever is greater.
- c. Immediately prior to placing the wearing surface, the abutting pavement edges shall be neatly cut by means of a pavement saw or other circular cutting disk. The existing pavement shall be cleaned, removing all loose material and coated with hot liquid asphalt or bitumuls to insure a bond with the new asphalt surfacing. The restored pavement shall be finished to a smooth riding surface and to the grade of the surrounding undisturbed pavement. Unless the Director shall otherwise permit, pavement replacement shall commence not more than seven (7) calendar days after backfilling or per the schedule established via an approved plan.
- d. In the event the trench edges fall in the wheel traveling portion of a traffic lane, existing or proposed, the applicant shall extend the finish surface paving to a point deemed satisfactory by the Director. Finish surface paving shall be performed in such a manner as to provide a crown slope equal to that existing prior to excavation, with no ponding of run-off

surface water either over the trench or at the joints between the new and original surfaces.

- e. When road surface damage as a result of the applicant's permitted activity, involves more than one traffic lane, a full width paving lift may be required. Individual jobs may require negotiations with the Director for partial participation in the cost of a full width overlay.
- f. Where an asphalt concrete lift has been placed on a road, it shall be required that a sawcut, or other approved method, be made on parallel lines six (6) inches beyond any settled or broken out sections of pavement and the lift removed from within these sawed lines. The trench shall then be plugged with B-mix in maximum three (3) inch lifts, in depth equal to original asphalt concrete with final lift of C-mix to bring to finished surface.

6.X2.540 Restoration of Unpaved Areas.

- a. Where original surface was crushed rock or gravel: Wearing surface and foundation material -- shall be three quarter (3/4"-0") inch coarse base rock placed to a compacted thickness of twelve (12) inches or the thickness of the removed stonebase.
- b. Unimproved roads and area between edge of traveled roadway and property line: The trench shall be backfilled with the excavated material and compacted.

6.X2.550 Maintenance Period. For a period of two (2) years following the backfilling of trench or unimproved or shoulder areas or the patching of the paved surface, the applicant shall be responsible for the condition of said trench backfill and pavement patches, and during that time shall, upon request from the Director, repair to the Director's satisfaction any of the said patches which become settled, cracked, broken, or otherwise faulty. Settlement of the replaced road surface of one-half ($\frac{1}{2}$) inch or more with a six (6) foot straight edge shall constitute evidence of improperly compacted backfill material. If test results do not meet the standards for compaction as set forth in Section **6.X2.520(c)**, the backfill material shall be compacted to obtain the required compaction. Settlement of one-fourth ($\frac{1}{4}$) inch to one-half ($\frac{1}{2}$) inch with a six (6) foot straight edge will be cause for repair in the case of settlement or replacement in the case of unsatisfactory workmanship.

6.X2.600 Sanitary Sewer Lateral Connection.

6.X2.610 Permit Limitations.

- a. Connection applications for occupancy by other than commercial or industrial uses shall include the location and area to be drained.

- b. Applications to connect commercial or industrial occupancies shall include a description of the business, plat of the property, plans and specifications for any special installations, and a description and time schedule of the character and quantity of waters and wastes to be discharged.
- c. Permits issued for sanitary sewer connections are valid for ninety (90) days from the date issued and billing of monthly sewer service charge will commence ninety (90) days from date of issuance or upon connection or issuance of an occupation license.
- d. Work shall commence no later than seventy-two (72) hours after issuance of the permit and shall be performed diligently and continuously to completion, with excavation refilled and pavement replaced as provided herein.
- e. Abandonment of Systems: Each and every owner of the real property upon which is situated a subsurface sewage disposal system is required to abandon said system upon connection to a sanitary sewer system. Permit and requirements for the abandonment of said system can be obtained from the building division.

6.X2.620 Pipe Location and Permitted Types.

- a. Verify location and depth of existing branch before laying house sewer, check for obstruction in pipe.
- b. Branches shall be laid at minimum slope of 1/4 inch to one (1) foot.
- c. Pipes, mains and sewers which are to run lengthwise in any street shall be located as prescribed by the Director, and all pipes and sewers for a house or lot connection shall lay at right angles to the curb, unless otherwise ordered by the Director.
- d. No bends greater than 1/8 shall be used.
- e. The connection of roof drains or storm water is prohibited.
- f. No siamese connections will be permitted without prior approval from the Director.
- g. Top of pipe to be a minimum of six (6) feet below the top of curb or below the edge of shoulder unless otherwise ordered by the Director.
- h. Excavations four (4) feet or more in depth where there is danger of caving, shall be adequately shored or braced as required by SAIF or other applicable State or Federal regulations.

i. Type of Pipe Permitted:

- (1) Cast or Ductile Iron Soil Pipe (four [4] inch minimum).
- (2) Cement Asbestos Pipe (six [6] inch minimum).
- (3) Concrete Sewer Pipe (six [6] inch minimum).
- (4) Vitrified Clay Pipe (six [6] inch minimum).
- (5) PVC or ABS schedule 40 (four [4] inch minimum).

Pipes acceptable shall have approved rubber-ring joints.

6.X2.630 Connection to Sewer Main.

- a. Existing sanitary or storm drainage mains or systems to which any new connection is to be made shall be in a condition satisfactory to the Director before connection approval and a permit shall be given. The Director may require television recordings demonstrating the condition of the pipes before granting approval. Any additional mechanical equipment required to operate such system shall be in a condition satisfactory to the Director.
- b. Connection shall be made to the existing wye or tee.
- c. If, in the opinion of the Director, it is not feasible to use the existing wye or tee, or if a wye or tee has not been provided, the applicant shall excavate at the location in the main sewer line and may make the tap under the supervision of the Director.
- d. The City of Troutdale assumes no liability for the accuracy of recorded plats, city drawings or other locational information.

6.X2.640 Trenching, Bedding and Backfilling.

- a. Work left open overnight shall be substantially barricaded and shall include OSHA approved lights and warning devices as may be required by the Director.
- b. Bedding in the bottom of the trench prepared for sewer pipe shall be made so as to eliminate all possibilities that any bridging or beam action of such pipe will occur. Bedding material used to support sewer pipe shall be fine gravel not larger than three quarter (3/4) inch sieve or other stable granular material, the bulk of which shall be coarser than sand, and the depth of such material below the bottom of the pipe throughout its full length shall not be less than four (4) inches.
- c. Commercial Sewer Connections: A test stand pipe, eight (8) inches in diameter with tamper-proof cover shall be installed on all commercial connections and to be located just outside the property line. The Director may require sampling manholes in place of the test stand pipe.

6.X3.000 DESIGN AND CONSTRUCTION STANDARDS FOR ROAD APPROACHES

6.X3.100 General All Approaches. The location and design shall conform to the applicable City, County or State standards and must be approved by the Director.

6.X3.200 Drainage.

6.X3.210 Permits for approaches shall include provisions for storm drainage facilities connecting to the road drainage system providing the Director determines the road system is adequate to handle the accelerated run-off. If not adequate, applicant shall make suitable provisions to prevent surface run-off into the road drainage system. All costs for providing drainage from the property shall be borne by the applicant.

6.X3.220 Curb drain outlets: All curb drain outlets to be installed through existing concrete curbs shall be drilled with maximum. Outside diameter of pipe to be three and one half (3½) inches.

A maximum of four (4) outlets shall be allowed for property frontage.

6.X3.230 Where required, a valley gutter shall be formed over the ditch line and the valley shall be a minimum of two (2) inches below edge of road surfacing or formed by a fall of one-half (½) inch per foot of shoulder width on four (4) foot or wider shoulders.

6.X3.240 Where culvert pipe is required, it shall be RCSP or CMP, furnished and placed by the applicant. Applicant or his contractor shall give at least twenty-four (24) hours notice before culvert placement. Size and specifications of the culvert will be determined at time of permit applicant review.

6.X3.300 Construction.

6.X3.310 All materials needed to construct road approaches must be supplied by the applicant. Materials must be of satisfactory quality and in general must conform to City standard specifications. Construction materials are subject to approval by the Director.

6.03.320 No concrete shall be placed when the atmospheric temperature is below or will be predicted to be below 35°F., without written permission of the Director. When order by the Director, the contractor shall enclose the work area in such a way that the concrete and air within the enclosure can be kept above 50°F. for a period of seven (7) days after placing the concrete. If high-early strength cement is used, these periods may be reduced as ordered by the Director.

When conditions warrant its use and with prior approval of the Director, a quick setting concrete using six (6) sacks of cement per cubic yard with calcium chloride added at the rate of one (1) pound per sack of cement may be used when the temperature is below 50°F.

This will be on exceptional cases, and only when approved by the Director, to allow use of the curb, driveway or sidewalk at an earlier time than with standard mix.