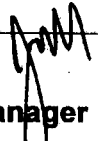




POLICY AND PROCEDURE

Subject: Pavement Cuts	Index: Public Works & Utilities Number: 801-4
Effective Date: June 14, 2018	Prepared By: Public Works Dept.
Supersedes: N/A	Approved By:  James Makshanoff, City Manager

1.0 PURPOSE:

The purpose of this policy is to protect the City's public street infrastructure by establishing guidelines for cuts in streets that have been recently resurfaced.

2.0 ORGANIZATION AFFECTED:

Public Works and Utilities Departments, public utility providers, developers, and property owners.

3.0 REFERENCES:

- 3.1 San Clemente Municipal Code Chapter 12.16.
- 3.2 City of San Clemente Engineering Technical Standards, and Standard Provisions & Standard Drawings for the Construction of Water & Sewer Facilities (Standard WS-1).
- 3.3 Standard Specifications for Public Works Construction ("GreenBook"), latest edition.

4.0 POLICY:

It is the responsibility of the City of San Clemente to provide for properly maintained streets within the public right-of-way. All applicants, including but not limited to, property owners, utility companies, agencies, developers, contractors and engineers are responsible for providing appropriate repair of streets within the public right-of-way whenever they excavate or cut a trench in newly resurfaced streets for utilities or for any other construction work.

5.0 DEFINITIONS:

- 5.1 Right-of-Way (ROW): The entirety of that area dedicated for public use.
- 5.2 Public Street: A right-of-way owned by the City of San Clemente, the County of Orange, or the State of California, used to provide safe and efficient movement of people and goods by all modes of travel. This includes public alleys.

6.0 PAVEMENT CUT RESTRICTIONS:

- 6.1 Except as noted in Section 6.2 below, pavement cuts shall not be made in the City's public streets for the following situations (stated timeframes commence from the date of acceptance of the improvements), unless waived or modified by the Public Works Director/City Engineer or his/her designee:
 - 6.1.1 Newly constructed, reconstructed or overlaid within 5 years; or
 - 6.1.2 Slurry-sealed within 2 years.
- 6.2 Upon written request, permission to cut streets subject to the restrictions in Section 6.1 may be granted by the Public Works Director/City Engineer, or his/her designee, for the following conditions:
 - 6.2.1 An emergency situation which endangers life or property or interrupts an essential utility service (e.g. a broken water main, etc.);
 - 6.2.2 Work that is mandated by City, State or Federal legislation;
 - 6.2.3 Potholing for verification of underground utility locations;
 - 6.2.4 Utility service for buildings or properties where no other reasonable means of providing utility service exists;
 - 6.2.5 Other situations deemed by the Public Works Director/City Engineer, or his/her designee, to be in the best interest of the general public.
- 6.3 To request permission to make a pavement cut in a street subject to the restrictions in Section 6.1, the applicant must submit a written request to the Public Works Director/City Engineer. The request must include: a) the location of the excavation; b) description of the work to be performed; c) the reason(s) the work was not performed before the street was resurfaced; d) the reason(s) the work cannot be deferred until after the restriction period; e) the project alternatives that were considered and why there is no reasonable alternative to avoid cutting into a newly resurfaced street.
- 6.4 Trench repairs performed under Section 6.2 are subject to the approval of the Public Works Director/City Engineer and may require extensive street

rehabilitation, including but not limited to full-width grind and pavement overlay.

7.0 PUBLIC NOTIFICATION:

The City's Engineering Division shall be responsible for providing information to notify interested parties of public streets that are, or will become, subject to pavement cut restrictions. A list and/or map of such public streets will be posted on the City's website, and the list and/or map will be updated at least quarterly to identify those public streets that are currently, or that are soon expected to be, subject to pavement cut restrictions.

8.0 PERMIT REQUIREMENT:

- 8.1 Except for City-initiated repair work, all public utility and privately-initiated work within the City ROW shall obtain an Encroachment Permit issued by the City, unless waived by the Public Works Director/City Engineer or his/her designee.
- 8.2 Pavement repair, work hours, plan submittal and other requirements shall be as required by and specified in the Encroachment Permit.
- 8.3 No permit will be required prior to any emergency work, where an emergency is defined as an immediate and clear danger to life or property. In emergency situations, the involved utility company will be expected to take whatever appropriate action is necessary to address the emergency. A permit shall be obtained within one (1) business day after the work is completed for record keeping purposes. The applicable permit fee will be collected at that time.
- 8.4 Street cuts and pavement repair not conducted in accordance with this policy and applicable permit requirements may be required to be removed and replaced at the direction of the Public Works Director/City Engineer or his/her designee.