

**Charlotte Department of Transportation**  
**Street Maintenance Division**

**REGULATIONS AND FEE SCHEDULE**

Procedures for Working in Asphalt and Concrete Pavements  
(Effective November 1, 2012)

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## I. Introduction

This document defines the Charlotte Department of Transportation (CDOT) Street Maintenance Division (SMD) policy, specifications, procedures, and costs necessary to excavate for utilities and restore infrastructure within Charlotte's jurisdictional limits ("excavate for utilities" includes utility location excavations, potholing and boring for utility locations).

Utility Agents involved with utility projects must have a copy of this document for reference in their possession at all times when working in the right-of-way.

SMD looks to the Utility Companies to ensure that all Utility Agents, working on their behalf, understand and follow these policies and procedures.

Work not performed in accordance with these specifications may result in:

- Immediate work stoppage and removal from the right-of-way
- Removal from the SMD approved certification list
- Denial of future City permits/restoration services
- Mandatory training classes to restore right to perform work in Charlotte's right-of-way

Adherence to this Policy and the issuance of a **Street Cut Permit** is required for all utility excavation, drilling or boring work performed within the Central Business District (CBD) and any rights-of-way within the City of Charlotte limits and Charlotte-Mecklenburg Utilities (CMU) utility related work within Mecklenburg County.

## II. Permitting

Issuance of a Street Cut Permit does not eliminate the requirements or adherence to any other necessary City Permit or Ordinance. (See Miscellaneous Reference Section X).

### A. Street Cut Permit:

Before any utility or utility agent is allowed to excavate for utility work in the right-of-way, they shall obtain an individual street cut permit 24 hours prior to excavation for each of the following: asphalt streets, curb and gutter, sidewalks, driveways, medians and planting strips. Failure to secure a street cut permit prior to excavating will result in a \$150 administrative fee. To obtain a street cut permit, the utility agent performing the work must employ a SMD certified person that is currently on the SMD's current approved Excavation Certification List (see Section VI) and provide the following information:

1. Encroachment number/Right-of-Way Use Permit number, as required (see Section III)
2. Designate Contracted or City restoration
3. Block number
4. Complete street name
5. Cross street
6. Requesting Utility Company's name and job number
7. SMD certified person of the crew performing the work – and after hours telephone number
8. Certification number
9. Telephone contact for utility agent – field or cell number
10. Company address and office phone number
11. Billing contact
12. Cut type
13. Estimated size of the cut
14. Prior Permit Number (if applicable) for this location

**Permitting** (continued)

15. Contact name and telephone number of Utility Company representative that individual is working for, or supervisor
16. For CMU, what zone the cut is in
17. Verify cut size before ready call

The certified excavation representative's presence is required on site during all phases of construction until inspection has been approved and passed by SMD.

If no work has begun within 48 hours after date work is scheduled, the permit will be automatically voided. Another permit must be obtained before work can commence.

There will be a \$50 processing fee for permits issued and not closed within the 48 hour period.

**III. Specifications**

A. General Requirements:

1. Scheduling

- a) All street and curb & gutter cuts (asphalt or concrete) in the rights-of-way must be completed and patched with asphalt within 24 hours of excavation, unless prior approval has been obtained from SMD. When notice of excavation and requesting a patch back, SMD needs a minimum of 2-hour notice to Utility Centralized Dispatch for all patching requests. Patching requests, without the 2-hour notice, will be moved to the end of the patch back list.
- b) Any construction project involving excavations over 100 linear feet in pavement, curb and sidewalk rights-of-way (excluding ditches), the Utility companies must schedule a pre-construction meeting within the 10-day notification period prior to beginning work.
- c) SMD reserves the right to postpone, inspect and/or require additional information on any work performed in City rights-of-way.
- d) Utilities performing their own restoration work, SMD reserves the right to require the work within a timeframe designated by SMD.
- e) When the Utility or their agent will perform their own restoration work, SMD requires permanent restoration of concrete driveways, sidewalk, and curb within 45 days. A written notice should be given to the property owner stating when the work will be done and a contact number.
- f) Scheduled excavations, requiring patching by SMD forces on weekends, require a permit no later than 12:00 Noon on Thursday prior to the weekend. Cuts performed on holidays will require a permit no later than 10 a.m. on the last working day prior to the holiday. (This excludes emergency repairs.) A \$150 administrative fee will be assessed for any cut not meeting these guidelines.

**Specifications** (continued)

- g) During inclement weather, Utilities are required to call and verify with SMD the availability of materials for restoration. Frequently restoration materials are only available from SMD suppliers during daylight hours. Temporary patches will be allowed during inclement weather at the discretion of SMD. Temporary patch shall be dug out and made permanent within 45 days. If not made permanent by Utility in 45 days, SMD will remove the temporary patch, repair all associated street damage, install the permanent patch and bill full cost to the responsible Utility.

2. Stipulations

- a) SMD reserves the right to require the Utility Company to pay for the repair, milling and resurfacing of any streets that are damaged due to utility cut installation and repair. This right will be exercised when the concrete or asphalt repair does not restore the integrity or ride quality of the street/sidewalk (even if the repair is performed by City forces). This is usually the case on long longitudinal cuts patched back by hand. SMD, working in conjunction with the Utility Company or agency, will walk the street to determine the need for resurfacing.
- b) CDOT reserves the right to deny all open and/or diagonal cuts within the street right-of-way. CDOT may require the utility company to perform subsurface boring, tunneling and/or rerouting at no cost to the City. SMD and CDOT may limit the area of pavement or walkway disturbed at any given time.
- c) All utility companies performing work in the street rights-of-way must be properly equipped to meet all required specifications and traffic control. Traffic control will be in accordance with the MUTCB or WATCH Handbook.
- d) Select backfill shall be compacted to a minimum of 95% density throughout the cut. (Required: maximum 6 inch lifts.)
- e) In the event SMD is notified of hazards related to any utility work anywhere in the affected or adjoining right-of-way, the following shall occur:
- SMD will notify the proper Utility Company or Agency.
  - SMD will temporarily mitigate the hazard until the proper Utility responds.
  - SMD expects the Utility Company or Agency to assume responsibility within 2 hours and make the situation safe.
  - The utility must begin permanent repairs within 12 hours, and continuously work until all repairs are complete.
  - SMD expects prompt return of its applicable safety equipment used to temporarily mitigate the hazard (cones, flashers, barricades) to 1000 Otts Street.
  - SMD will bill the Utility Company or Agency for the emergency response and/or mitigation.
- f) All work and waste disposal shall meet all requirements of Mecklenburg County Department of Environmental Protection Services.

**Specifications** (continued)

- g) In cases of emergency, each Utility and their utility agents are required to readily provide secured plates to shore up the excavation. SMD has to approve the use of plates. The use of plates is limited to 48 hours and contingent to all precautions relative to plate usage.
3. Responsibility
- a) SMD and utility agents will mutually agree upon any maintenance and repair work of pre-existing conditions in addition to the utility cut.
  - b) The City will not be responsible for pre-existing problems with any utility structure that is further damaged during restoration.
  - c) The Utility is financially responsible for any infrastructure damage and/or repair associated with any work performed under the Encroachment Agreement, Right-of-Way Use, or Street Cut Permit.
- B. Asphalt Requirements (Street/Driveway/Curb/Median):
- 1. Streets
    - a) Minimum excavation/cut size 4 ft. x 4 ft.
    - b) Edges must be squared and smooth.
    - c) Saw cut preferred.
    - d) Must obtain compaction of 92% for asphalt (Superpave) and 95% for sub grade.
    - e) Backfill depth must be 9½ inches below finished pavement grade on thoroughfare streets and 6½ inches on residential streets.
    - f) Once the City repair crew arrives on site, the asphalt work must begin within 15 minutes of arrival. If not, the crew can proceed to the next call if one is pending. An administrative fee of \$150 will be made on each call where the City crew could not begin work in the allotted 15 minutes. Three calls of this nature will result in a violation against the certified employee.
- C. Concrete Requirements:
- 1. Streets
    - a) A permanent asphalt patch within a concrete street will be a minimum of 4 ft. x 4 ft. dimensions and 9½ inches deep on compacted and suitable material.
    - b) Edges must be squared and smooth.
    - c) Required saw cut on all edges.
    - d) Adequate space of 12 inches or more will be left around all structures to allow for proper compaction of replaced material.
    - e) If the contractor is performing the restoration, all patching will be completed within the same day material is removed unless work is ongoing and involves installation and flowable fill that have been discussed prior to excavation.
    - f) If plates are to be utilized, they will be tacked down with hot plant asphalt and monitored by the contractor.
    - g) All concrete shall be properly cured prior to asphalt placement.
    - h) All work in a concrete street is required to be inspected by an SMD Inspector or supervisor prior to asphalt placement.

**Specifications** (continued)

2. Sidewalk/Driveway/Median
    - a) Partial or full excavation sections must be temporarily backfilled with compacted suitable select backfill if SMD is to perform the permanent repair. If the repair is performed by the utility or utility contractor, full section replacement with like material is to be performed (joint to joint replacement) in accordance with ADA requirements (Charlotte-Mecklenburg Land Development Standards, Sections 10.34A through 10.35B in Appendix). Permanent repairs must be performed within 45 days.
    - b) All structures within the construction zone must be installed at proper grade (i.e., valves, boxes, clean outs, etc.). SMD will charge for any required adjustment.
  3. Curb & Gutter  
Partial or full excavation sections must be temporarily backfilled with compacted asphalt by SMD patch crews until permanent repairs are performed. The sub grade must be properly compacted. Utility or contractor must provide support for asphalt curb portion of asphalt patch. If Utility or contractor is to perform the permanent repair, full section replacement (joint to joint) with like material (concrete) must be performed.
- D. Temporary Patches:
1. Asphalt Street: (must be pre-approved by Utility Coordinator)
    - a) Will be no less than 6 inches in depth on stable and compacted select backfill material in asphalt streets. These patches must be approved with a plan to be excavated by the Utility within 45 consecutive days of installation and replaced with a permanent patch.
    - b) All temporary patches not excavated by the Utility within the designated timeframes will be excavated by SMD or our contractor with the total cost (including overtime if incurred) billed to the Utility. Temporary patches will be allowed during inclement weather at the discretion of SMD. Temporary patch shall be dug out and made permanent within 45 days. If not made permanent by the Utility within 45 days, SMD will remove the temporary patch, repair all associated street damage, install the permanent patch and bill full cost to the responsible Utility. **Two incidences within a calendar year will result in certification probation.**
    - c) Manhole Requirements: Maintenance and Repair
      1. 12 inch minimum cured concrete collar before asphalt patch back (leave concrete 1 inch low for asphalt patch).
      2. Follow SMD Utility Restoration Standards – Manhole Repair – Appendix B, Diagram 4.
  2. Concrete Street:
    - a) A temporary patch within a concrete street will be a minimum of 4 ft. x 4 ft. dimensions and 9½ inches deep on compacted and suitable material.

**Specifications** (continued)

- b) All temporary patches not excavated by the Utility within the designated timeframes will be excavated by SMD or our contractor with the total cost (including overtime if incurred) billed to the Utility. Temporary patches will be allowed during inclement weather at the discretion of SMD. Temporary patch shall be dug out and made permanent within 45 days. If not made permanent by the Utility within 45 days, SMD will remove the temporary patch, repair all associated street damage, install the permanent patch and bill full cost to the responsible Utility. **Two incidences within a calendar year will result in certification probation.**
  - c) Manhole Requirements: Maintenance and Repair
    - 1. 12 inch minimum cured concrete collar before asphalt patch back (leave concrete 1 inch low for asphalt patch).
    - 2. Follow SMD Utility Restoration Standards – Manhole Repair – Appendix B, Diagram 4.
- E. Utility Locator Excavations (Potholes): (Monitoring Wells and Soft-Digs)
- All permits must identify the encroachment agreement holder, owner agency contact and project number for future reference and billing for possible repair failure.**
- 1. Follow the same guidelines as any street excavation for permitting and inspection.
  - 2. All locates are to be considered as permanent patches. **No more exception agreements are allowed. Existing exception agreements are invalid after April 15, 2005.**
  - 3. Excavations and locates for monitoring wells and/or soft-digs performed in an area, regardless if they are to be torn out with new construction, shall be performed under the following requirements:
    - a) **No water shall be introduced to the sub grade to loosen stone or soil or for any purpose.**
    - b) Backfill of excavation will be select backfill material compacted to at least 95% density all the way to the bottom of the excavation.
    - c) Asphalt cut/patch must extend a minimum of 1 foot on all sides beyond the sub grade soil disturbance for asphalt patch to bridge the hole. A square saw cut is required and must accommodate full weight of compaction equipment. Saw blade cut cannot extend beyond asphalt patch area. Asphalt depth 6½ inches residential, 9½ inches thoroughfare.
    - d) Excavation shall be patched with SuperPave Hot Mix Asphalt that shall be SF 9.5A or equivalent or cold asphalt patching product called "QPR" Quality Pavement Repair or equivalent.
    - e) All locate excavations shall meet all other requirements and regulations as stated in this manual.
    - f) All cuts will be inspected by SMD prior to the asphalt patch.
  - 4. Potholes to be performed in a concrete structure will be subject to:
    - a) Street: 2 ft. x 2 ft. hot asphalt patch or cold asphalt patch and follows all regulations as stated for street cut and utility locator excavations. Holes in concrete street slabs should be located in middle of slab at least 3 ft. away from joints and slab edges. Otherwise, full slab replacement will be required.

**Specifications** (continued)

- b) In curbs, sidewalks, driveways, medians, etc., adequate compaction, inspection, and complete joint to joint replacement with concrete material.

F. Specialty Materials:

- a) Pavers and special treatments restoration must be in accordance with the owner of the area in question and according to the policies, the Encroachment Agreement, and within this document (Section V).

**IV. Emergency Excavation**

- A. If an emergency activity is necessary, call Centralized Dispatch at (704) 336-4025 within 2 hours of immediate utility response, advise Dispatch as to the nature of the emergency, request supervisor/inspector on site, and secure a Street Cut Permit.
- B. Any asphalt patches called in after 7:00 p.m. and before 7:00 a.m., any time Saturday or Sunday or Holidays, or patches that have been called ready and are not ready on the arrival of the patch crew, will cost an additional \$150 over and above the regular rates to account for additional costs associated with overtime and overhead.

**V. Specialty Materials/Tryon Mall (Sidewalk, Streets and Granite Curb)**

- A. Street Cut Permit must be obtained 10 days **prior** to any work performed within the Tryon Street Mall area or any area utilizing specialty materials.
- B. Removal and installation of approved pavers or granite curb by City forces is at the discretion of SMD and will only take place within the following perimeters:

<b><i>Graham Street</i></b>	<b><i>W. 8<sup>th</sup> Street</i></b>	<b><i>to</i></b>	<b><i>W. 2<sup>nd</sup> Street</i></b>
<b><i>2<sup>nd</sup> Street</i></b>	<b><i>S. Graham Street</i></b>	<b><i>to</i></b>	<b><i>S. McDowell Street</i></b>
<b><i>McDowell Street</i></b>	<b><i>E. 2<sup>nd</sup> Street</i></b>	<b><i>to</i></b>	<b><i>E. 8<sup>th</sup> Street</i></b>
<b><i>8<sup>th</sup> Street</i></b>	<b><i>N. McDowell Street</i></b>	<b><i>to</i></b>	<b><i>N. Graham Street</i></b>

- C. If for any reason a sidewalk cut cannot be made passable prior to 4:00 p.m. on the day it was opened, the agent will be required to secure the cut with metal plate(s) or with approved backfill material. Warning lights and appropriate signs are to be placed by the contractor. If a cut is temporarily filled, the company will be required to return within 48 hours to complete the repair/installation. If SMD will be restoring the sidewalk, then the contractor must notify SMD upon completion of the utility repairs.
- D. SMD does not maintain or restore stamped concrete or asphalt, textured finishes, and most colored finishes. However, a Street Cut Permit is STILL required prior to work being performed.
- E. The Utility or its utility agents shall contact SMD for salvage of granite curb or other specialty materials prior to removal and replacement.
- F. For all non-City maintained materials, Utilities shall contact appropriate encroachment holder for installment specifications, approval, and related costs.

**Specialty Materials/Tryon Mall (continued)**

- G. Throughout the construction process, all equipment and materials must be operated and stored in a safe and orderly manner taking into strict consideration safe pedestrian traffic. Materials not in use within these areas are to be removed by the Utility or agent and stacked in a safe and secured area protected from pedestrian traffic.
- H. The Utility or agent must be responsible for the protection of existing sidewalk, streets, curb, lighting, planters, trees, and any other structure that is beyond the construction limits. Any method or means of such protection is totally at the Utility or agent's expense.
- I. If SMD performs special material restoration, Utilities will be charged the total cost of the work.

**VI. Excavation Certification / Utility Certification List Qualification**

Beginning January 2005, the CDOT Street Maintenance Division requires that any Utility Company, Contractor, Developer, or agents thereof engaged in utility excavation in Charlotte street rights-of-way must ensure that a CDOT/SMD excavation certified company representative be present on the job site. Excavation certification requires a utility crew foreman/lead person to attend a 5-hour class to become familiar with these policies/specifications and CDOT/SMD's procedures for excavating in Charlotte streets.

Once these foremen/lead persons obtain certification, they are placed on an approved **Utility Certification List** maintained by SMD. A foreman/lead person must be certified and on the approved list before they can obtain a Street Cut Permit. A Street Cut Permit will only be issued in a certified person's name that is registered on the SMD approved list.

A. Certification:

- 1. All responsible persons of Utility agent crews shall take a **General Requirements Class** provided by SMD.
- 2. No crew will be issued a permit without at least one certified person present throughout the entire job. The certified person is responsible for all jobs in which the permit is issued under their name. Policy and procedure violations will be charged against this individual and the Utility they represent.
- 3. Utility Companies or agents are to provide SMD any changes and/or updates upon termination or change of status of any certified employees. The Utility Agent shall make arrangements for certification of new employees immediately to continue acquiring Street Cut Permits. A Utility Company or Agent cannot obtain a Street Cut Permit under a terminated employee's certification.
- 4. This certification class will be offered within 90 days of placing a request with the SMD (704-336-6944).
- 5. The class cost is \$60.00 per person. This includes training and instruction materials. Checks should be made payable to the City of Charlotte and sent along with the application to Certification Class Registration, 1000 Otts Street, Charlotte, NC 28205 (after May 1, 2006 mail to 4411 Northpointe Industrial Boulevard, Charlotte, NC 28216).

**Certification** (continued)

6. Upon completion of the certification class, the following will be provided to each participant:
  - a) Street Maintenance Specifications and Fee Schedule.
  - b) Instruction on procedures, suggested select backfill materials and compaction requirements.
  - c) A **Certificate of Qualification for Permitting Excavation** assigned to the individual completing the training. Each person certified will be issued a unique identification number.
  - d) Certified person's name will be recorded on SMD's approved certification list.
  - e) No Street Cut Permits will be issued to non-certified individuals.
  
- B. Renewal, Probation and Revocation:
  1. Renewal will occur each January 1<sup>st</sup> upon continued compliance and no violations. There is no cost associated for renewal.
  2. Failure to comply with SMD specifications on two (2) occasions will result in probation.
    - a) The probationary period will run for a minimum of 3 months to a maximum of 1 year and will include a course concentrating on the violations and means of correction.
    - b) Probation will result in:
      - A written reprimand, description of violation, and consequences of continued violation.
      - A copy of the written reprimand and probation to the Utility Company stating the reason for the probation, and stipulations for removal from probationary status.
      - Increased inspections by SMD to assure compliance.
  3. Revocation is the direct result of two or more probationary periods within a 12-month period which will result in:
    - A written reprimand, history of violations to individual and Utility Company.
    - Mandatory certification class.
    - The cost of this Mandatory Class will be \$60.00 per person per company to recover costs.
    - A reissued Certificate will be posted as a Probationary Status that will revert to Compliance and Good Standing after one year if all requirements of the Specifications and Fee Schedule are met for the probationary period.
    - Increased inspections by SMD to insure compliance for up to 12 months minimum.
    - If violations occur during a Probationary Year, permanent revocation of Certification can occur which will result in permanent removal from the Contractor's List.

## VII. Appeals Procedure

A. A **notice of violation** or **revocation of certification** may be appealed in writing within ten (10) days from the date of notification. Failure to file a notice of appeal within this time period shall constitute a waiver of the right to contest the action. A hearing officer through a quasi-judicial process shall hear appeals. A hearing officer's decision is subject to further review in Superior Court of Mecklenburg County by proceedings in the nature of certiorari. Any petition for writ of certiorari shall be filed with the Clerk of Superior Court within thirty (30) days after notification of the hearing officer's decision.

- A **Review Board** made up of representatives from CDOT, CMU, Contractors and other outside utility agents as deemed necessary will determine permanent revocation. The Review Board's ruling will be binding, however is subject to Superior Court proceedings as stated above.

## VIII. Violations

Violations are those actions related to, but not limited to, any infraction that does not coincide with the Specifications and Standards within this document and any others as required.

A. Actions will be as follows:

- First failure to comply with City specifications will result in a written warning and possible probation.
- Second failure to comply will result in probation and the individual being retrained with notification to agency and probation.
- Third failure to comply will result in permanent revocation as determined by the Review Board.
- The Utility Review Board will settle any disagreements.

B. Examples of Violations and actions of non-compliance:

*(included but not limited to)*

- Failure to dig out a temporary repair within the required 45 days.
- Failure to secure a permit for any type excavation that requires restoration.
- Failure to utilize and maintain traffic control until restoration is complete.
- Poor compaction, inappropriate or inadequate material.
- Non-compliance to size, shape, and depth requirements.
- Damaging adjoining structures and/or right-of-way and not repairing promptly or properly.
- Improper, unsuitable, or unapproved usage of plates, barricades, or other traffic restricting items.
- Public complaints that can be verified.
- Verifiable drug and/or alcohol usage on a city related job.
- Failure to adhere to time restrictions for daily work zone.
- Failure to maintain a safe work zone.
- Failure to report that a cut was made.
- No certified person present throughout the entire job.

**IX. Invoicing/Collection for Restoration**

- A. Charges for all SMD restoration services will be invoiced on a monthly basis to the appropriate encroachment holder in accordance with work and the attached fee schedule.
- B. The costs and fees published in this document cover only those anticipated usual and customary repairs as required and specified by the SMD. If any additional work is required by SMD or their contracted agency, the cost will be included with the usual and customary charges to the encroachment holder.
- C. SMD reserves the right to charge for non-routine restoration. For example, restoration involving large amounts of material, labor, equipment, specialty materials, and multiple functions will be based on the actual cost of restoration plus overhead.
- D. SMD expects the encroachment holder to be responsible and to pay for all restoration work and/or associated damage and administrative and processing fees caused by them or their agents.
- E. Costs for permanent restoration of concrete may be estimated and invoiced in conjunction with the temporary repair. Estimate adjustments, if needed, will be made upon permanent work completion. All other repairs will be invoiced as work occurs.
- F. SMD reserves the right to contract any restoration as necessary. All restoration will be billed to the Utility Company or Agency, or group of Utility Companies or Agencies, as appropriate for the total cost of the restoration at the time of temporary restoration.
- G. Any damage associated with the installation/repair of two or more utilities, simultaneously placed, restoration costs will be split equally among the utilities involved.
- H. Damage of any other utility or street infrastructure by a Utility or agent will be the responsibility of the encroachment holder or Utility Agency requiring the work to be performed.
- I. If a Utility cut is called "ready" for patch, our trucks arrive within the appropriate time frame and have to wait longer than 15 minutes to begin restoration, SMD will bill the Utility \$150 per permit.
- J. Invoice payments are due 30 days from date of invoice. Companies with outstanding invoices 60 days or older are subject to not obtaining excavation permits.
- K. Disputes over individual charges are not considered grounds for withholding payment of full invoice.
- L. Excavations or excavation failures, not claimed by the utilities that caused them, will be charged a finders fee of \$200 by CDOT to cover investigation costs.

## **X. Miscellaneous References**

- A. Standards and Specifications:  
All utility restoration work must be in accordance with the NCDOT's Standard Specifications for Roads and Structures (latest revision), Charlotte Mecklenburg Land Development Standards Manual, and Street Maintenance Standards stipulated in this document.
- B. Encroachment:  
A City of Charlotte Right-of-Way Encroachment Agreement may allow items to be installed on City of Charlotte's right-of-way. It does not allow the holder to install items on private property, railroad right-of-way, or State maintained streets. To obtain a City encroachment agreement request, contact CDOT at (704) 336-2562 or (704) 336-6713. Any crossing or parallel routing of a system along State maintained streets requires an encroachment agreement with the NCDOT. To request a NCDOT encroachment agreement, call (704) 596-6900.
- C. Right-of-Way Use Permit & Street Cuts:  
Before any utility company or utility agent is allowed to work in Charlotte streets rights-of-way under the jurisdiction of the City of Charlotte, the applicant must obtain a right-of-way Use Permit from CDOT. Right-of-Way Use Permits are issued upon approval of work scheduled and traffic control procedures. To obtain a permit, contact ROW1 at (704) 432-ROW1 or FAX a request on company letterhead to (704) 336-4400. This permit is also required on State maintained streets inside the Central Business District limits. Request a Right-of-Way Use Permit for a capital improvement project by contacting (704) 336-7086.
- D. Carolina One Call: 1-800-632-4949  
Call 48 hours before you dig.  
Do not call in as an Emergency unless "Emergency" conditions exist.  
All excavations are required to have a locate request before digging.

## **XI. Indemnification**

To the fullest extent permitted by law, the Utility Company shall indemnify and hold harmless the City, its agents and employees from and against all claims, damages, losses, and expenses (including attorneys' fees) arising out of or resulting from the performance of their work.

Since the excavation is being requested by and made for the Utility, such company is responsible for paying any claims for damages arising from the excavation. The company is expected to be liable in cases of accidents related to the excavation and protecting the work and/or work area in a safe manner.

**XII. Fee Schedule**

Effective November 1, 2012, the below rates will become effective.

**Activity Unit Price**

CONCRETE MONO CURB & SIDEWALK \$166.20  
CONCRETE - 4" SIDEWALK \$166.20  
ASPHALT TEMP PATCH UTILITY \$99.81  
ASPHALT UTILITY REPAIR \$99.81  
ASPHALT PATCH CONC ST UTILITY \$99.81  
CONCRETE - 12" STREET \$107.97  
CONCRETE 8" DRIVEWAY \$177.04  
CONCRETE 6" DRIVEWAY \$168.17  
ASPHALT SURFACE SKIN PATCH \$68.93  
CONCRETE - 2'-6" STANDARD C&G \$66.05  
CONCRETE 2'-0" VALLEY C&G \$66.05  
CONCRETE VERTICAL CURB \$66.05  
ASPHALT ROLL CURB \$55.12

\*\$150 fee in addition to repair cost for any asphalt patchwork performed between 7:00 p.m. and 7:00 a.m., weekends, and holidays.

**C. ADMINISTRATIVE CHARGES**

- \$150 charge for failure to secure a Street Cut Permit in advance of cutting the street, curb, drive or sidewalk as stipulated in these specifications (page 1, II.A., page 2, III.A.1.f., and page 7, V.A.).
- \$50 processing fee for permits issued and not closed within the 48-hour period (page 2).
- \$150 charge will be made on each call where the City crew could not begin work in the allotted 15 minutes of arrival. Three calls will result in a violation against the certified employee (page 4, B.1.e.).
- \$150 charge on any asphalt patches called in after 7:00 p.m. and before 7:00 a.m., any time Saturday or Sunday or holidays, or patches that have been called ready and are not ready on the arrival of the patch crew to account for additional costs associated with overtime and overhead (page 7, IV.B.).
- \$200 charge to cover investigation costs on excavations or excavation failures not claimed by the utilities that caused them (page 11, IX.I.).

### **XIII. Glossary**

1. Applicant: Any person, company, organization or other entity that seeks permission to install or repair any facility that requires a Utility Cut Permit.
2. CBD: Central Business District (Downtown Area) bordered by I-77, Brookshire Freeway, John Belk Freeway.
3. CDOT: Charlotte Department of Transportation.
4. City: City of Charlotte, North Carolina.
5. CMU: Charlotte Mecklenburg Utilities Department.
6. Company: Owner of the facility.
7. Cut: Any excavation performed for the purposes of utility installation and/or repair.
8. Cut type: Street, driveway, sidewalk, or curb (includes asphalt and concrete).
9. Emergency Situation: Unexpected disruptions; i.e., gas, water/sewer breaks, leaks – requiring immediate attention because of the potential to cause undue harm to life or property.
10. ETJ: Extra Territorial Jurisdiction.
11. Excavate: Any cutting, digging, tunneling, boring, grading or other alteration of the surface or subsurface material or earth in the right-of-way.
12. Facility: Any structure, device, or other item in conjunction with utility installation or repair maintained within the public right-of-way including aerial installations that tie into the ground.
13. In Good Standing: Always following procedures, no sub grade failures, no unreported cuts, no late payments of invoices.
14. Jurisdictional limits: Water/Sanitary Sewer – entire county  
All other Utilities - within City limits and the ETJ
15. NCDOT: North Carolina Department of Transportation.
16. Non-Compliance: Failure to perform work in accordance with the NCDOT's Standard Specifications for Roads and Structures (latest revision), Charlotte-Mecklenburg Land Development Standards Manual, and Street Maintenance Standards stipulated in this document.
17. Non-paving season: November 1 to March 15.
18. Pavement: Cement concrete pavement, asphalt concrete pavement, asphalt treated road surfaces and any aggregate base material.
19. Peak Hours: 7:00 a.m. – 9:00 a.m. / 4:00 p.m. – 6:00 p.m. (11:30 – 1:30 in CBD).

**Glossary** (continued)

20. Potholing: Exploratory excavation or utility locating through small excavations in street infrastructure (example, Soft Dig).
21. Re-tops: Reapplication of asphalt due to settlement of previous excavation.
22. Ready for patching: A maximum of two (2) hours of "lead time" during which the excavation should be properly backfilled, compacted, and tested where applicable. Inspections must be performed prior to ready call. The job site surrounding the excavation is to be swept free of dirt piles, debris, and any obstructions prior to the patch truck arrival.
23. Right-of-Way (as related to utilities): Area within the public domain where work is performed within the street, medians, and any structures affected by utility installation or repair within the pre-determined boundaries.
24. Routine Hours: 9:00 a.m. – 4:00 p.m.
25. Routine/Maintenance Work: Exclusive of emergency situations; includes system upgrades, customer connections and capital improvement projects.
26. SMD: Street Maintenance Division.
27. SMD Certified Person – Person who has successfully completed the SMD Utility Certification training and has been issued a certification card.
28. Specialty Materials: Any material (other than virgin concrete or asphalt) or process that requires more than average materials, cost, time or effort for installation or replacement.
29. Street: Pavement and sub grade of a City residential, collector or arterial roadway.
30. Utility Agents: Contractors and Subcontractors performing work on behalf of the Utility company.
31. Utility Company/s: ***(included but not limited to)***
  - a. Duke Power
  - b. BellSouth
  - c. Piedmont Natural Gas
  - d. Time Warner Cable
  - e. Water Department
  - f. Sanitary Sewer Department
  - g. Storm Water Services Division – City or County
  - h. All Communication companies; i.e., AT&T, Sprint, Qwest Communications
  - i. CDOT – Traffic Signal Division

## APPENDICES

Select Standards to be used in conjunction with:

### Street Maintenance Specifications and Fee Schedule

- A. SMD Utility Restoration Standards – Asphalt (Main Thoroughfares/Residential Streets)
- B. SMD Utility Restoration Standards – Concrete & Manhole Repair
- C. SMD Utility Restoration Standards – Patch-Back to Concrete
- D. Charlotte-Mecklenburg Land Development Standards – Concrete Sidewalks
- E. Charlotte-Mecklenburg Land Development Standards – Monolithic Concrete Curb & Sidewalk
- F. Charlotte-Mecklenburg Land Development Standards – Commercial & Residential Drop Curb Type II Driveway with Sidewalk Abutting Curb (2'-6" Curb & Gutter)
- G. Charlotte-Mecklenburg Land Development Standards – Residential Drop Curb Type I Driveway with Planting Strip (2'-6" Curb & Gutter)
- H. Charlotte-Mecklenburg Land Development Standards – Commercial Drop Curb Type II Driveway with Planting Strip (2'-6" Curb & Gutter)
- I. Charlotte-Mecklenburg Land Development Standards – Drop Curb Type II Driveway Monolithic Concrete Curb & Sidewalk
- J. Charlotte-Mecklenburg Land Development Standards – Residential Driveway (Type I) for Valley Gutter
- K. Charlotte-Mecklenburg Land Development Standards – Accessible Ramp Standard with Planting Strip (2'-6" Curb & Gutter)
- L. Charlotte-Mecklenburg Land Development Standards – Accessible Ramp Sections with Planting Strip (2'-6" Curb & Gutter)
- M. Charlotte-Mecklenburg Land Development Standards – Accessible Ramp Standard without Planting Strip (2'-6" Curb & Gutter)
- N. Charlotte-Mecklenburg Land Development Standards – Accessible Ramp Sections without Planting Strip (2'-6" Curb & Gutter)
- O. Charlotte-Mecklenburg Land Development Standards – Accessible Ramp Standard (2'-0" Valley Gutter)
- P. Charlotte-Mecklenburg Land Development Standards – Accessible Ramp Sections (2'-0" Valley Gutter)
- Q. Charlotte-Mecklenburg Land Development Standards – Accessible Ramp Standard – Monolithic Curb & Sidewalk
- R. Charlotte-Mecklenburg Land Development Standards – Accessible Ramp Sections – Monolithic Curb & Sidewalk
- S. Charlotte-Mecklenburg Land Development Standards – Standard Placement of Accessible Ramp & General Notes
- T. Charlotte-Mecklenburg Land Development Standards – Truncated Domes Plan & Cross-Section
- U. NCDOT Street Standard Drawing – Concrete Pavement Joints (Sheet 1 of 2)
- V. NCDOT Street Standard Drawing – Concrete Pavement Joints (Sheet 2 of 2)
- W. Excavation Permit