

TOWN OF PLYMOUTH RULES AND SPECIFICATIONS REGULATING STREET EXCAVATIONS



AS ADOPTED BY THE SELECT BOARD

**Adopted: July 29, 1986
Amended: February 24, 2009
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A. PERMITTING AUTHORITY

Pursuant to the provisions of General Laws, Chapter 40, Chapter 41, Chapter 83 Chapter 84, Chapter 87, as amended, and any other provisions of the law hereto enabling, and by the By-Laws of the Town of Plymouth. The Select Board of the Town of Plymouth issue and promulgate Rules and Specifications Regulating Street Excavations in the Town of Plymouth.

In accordance with the regulations of the Select Board entitled "Rules and Specifications Regulating Street Excavations" adopted July 30, 2007 the Select Board, upon due notice, may from time to time amend and or/ revise rules, regulations and specifications for excavations or digging within the limits of the Public Ways of the Town of Plymouth and streets open to the public, created under Subdivision Control Law but not presently under the control of the Plymouth Planning Board, may by rules, regulate or specify particulars with respect to any excavation or digging as aforesaid.

The day-to-day administration of Street Excavations shall be done under the authority of the Director of Public Works, hereinafter referred to as the Permitting Authority.

B. DEFINITIONS

1. **COLLECTOR STREET:** Shall refer to the state classification Urban Minor Arterial or Rural Major Collector and Urban Collector or Rural Minor Collector.
2. **COMPANY:** natural gas pipeline company, petroleum or petroleum products pipeline company, public utility company, cable television company, and municipal utility company or department that supply gas, electricity, telephone, communications or cable television services or private water companies within the city or town where such excavation is to be made.
3. **COMPETENT PERSON:** Is defined as one who is capable of identifying existing and predictable hazards in the surroundings or working conditions which are unsanitary, hazardous, or dangerous to employees, and who has authorization to take prompt corrective measures to eliminate them.
4. **CONTRACTOR:** Shall mean any person, firm, partnership, association, society, corporation, company or organization of any kind that is licensed to undertake street excavation in the Town of Plymouth.
5. **EMERGENCY:** a condition in which the safety of the public is in imminent danger, such as a threat to life or health or where immediate correction is required to maintain or restore essential public utility service.
6. **EXCAVATION:** An operation for the purpose of movement or removal of earth, rock or the materials in the ground including, but not limited to, digging, blasting, augering, backfilling, test boring, drilling, pile driving, grading, plowing in, hammering, pulling in, jacking in, trenching, tunneling and demolition of structures, excluding excavation by tools manipulated only by human power for gardening purposes and use of blasting for quarrying purposes.

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7. **EXCAVATOR:** Any entity including, but not limited to, a person, partnership, joint venture, trust, corporation, association, public utility, company or state or local government body or public agency which performs excavation operations including the excavation of trenches.
8. **GENERAL PUBLIC:** All-natural persons not engaged in construction activities at a trench site.
9. **PERMIT HOLDER:** The excavator who is responsible for acquiring a permit from the Permitting Authority.
10. **PERMITTING AUTHORITY:** Shall mean the Director of Public Works of the Town of Plymouth. He may from time-to-time delegate certain of these duties to designees who will act in the Town's behalf.
11. **PREMARK:** To delineate the general scope of the excavation or boring on the paved surface of the ground using white paint, or stakes or other suitable white markings on nonpaved surfaces. No premarking shall be acceptable if such marks can reasonably interfere with traffic or pedestrian control or are misleading to the general public.
12. **PRIVATE STREET:** Shall mean any street not laid out and accepted or determined to be a Public Way by the Town of Plymouth.
13. **PUBLIC AGENCY:** A department, agency, board, commission, authority, or other instrumentality of the commonwealth.
14. **SAFETY ZONE:** a zone designated on the surface by the use of standard color-coded markings which contains the width of the facilities plus not more than 18 inches on each side.
15. **STREET:** Shall mean any Accepted Street (Public Way) or under the supervision of the Town of Plymouth, and streets open to the public, created under Subdivision Control Law but not presently under the control of the Plymouth Planning Board. Property owned by the Town shall also be considered a street.
16. **STREET OPENING MORATORIUM:** Shall mean the period of time during which non-emergency openings of a street are not allowed within five (5) years from the date the roadway (or section thereof) is paved.
17. **TRENCH:** An excavation which is narrow in relation to its length, made below the surface ground in excess of three feet below grade and the depth of which is, in general, greater than the width, but the width of the trench, as measured at the bottom, is no greater than 15 feet.
18. **UNATTENDED TRENCH:** A trench where neither the excavator or any of the people who are engaged in construction activities at the trench, are present.
19. **UTILITY CONTRACTOR:** A contractor licensed to perform work in the Town of Plymouth, as defined in the Rules and Specifications Regulating Street Excavations.

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C. APPLICATION FOR UTILITY CONTRACTOR'S LICENSE

No person shall, contract for the making of a or make a trench, in any public way, public property, or right of way land until a permit is obtained from the Department of Public Works except as otherwise provided in these rules.

Permits to perform work within the rights-of-way on Public Ways within the Town of Plymouth and ways open to the public; can be obtained only by licensed Utility Contractors. Utility Contractor's licenses will be issued to those Contractors who, in the opinion of the Permitting Authority, are deemed qualified through experience and have demonstrated by past performance the ability to undertake the scope of work covered by the license.

CATEGORIES OF WORK:

Four (4) categories of work are covered by the Utility Contractor's licenses, as follows:

1. **General Construction:** Driveway, sidewalk, drainage and curbing construction.
2. **Service Connections:** Connection of property or dwelling services to a utility main.
3. **Municipal Utility Main Construction:** Extension of the Town's water distribution, sewer collection, storm water system, or other Town utility.
4. **Private Utility Main Construction:** Extension or construction of private utilities such as water, sewer, cable, electric, gas, or telephone.

Prior to obtaining a Utility Contractor's license, the following information must be provided:

PERFORMANCE BOND:

A cash bond in the form of a cashiers check or bank check payable to the Town of Plymouth in the following sums:

- Ten thousand (10,000.00) dollars for Major Collector streets
- Seven thousand five hundred (7,500.00) dollars for Minor Collector streets
- Five thousand (5,000.00) dollars for local streets
- One thousand (1,000.00) dollars for private streets

The bond is conditioned substantially on the applicant's guarantee of the faithful and satisfactory performance of the work in all respects and of the replacement or restoration of that portion of any street, highway, right of way or road in which said applicant, his employees or agents shall make such excavation. Bonds shall remain in effect for two (2) years when Controlled Density Fill (CDF) is used, otherwise the bond shall remain in effect for three (3) years. Bonds from utility companies that are self-insured will be acceptable if the terms and conditions are similar.

The instrument must be written to allow the Town of Plymouth to perform work deemed necessary by the Director to correct any deficiencies, and all costs incurred by the Town may be applied against

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the Performance Bond if they are not recovered after bills have been sent to the Contractor. Municipal utilities and State and Federal Government agencies are exempt from this section.

MINIMUM INSURANCE REQUIREMENTS:

A Policy of Insurance valid for two (2) years, acceptable to the Permitting Authority, in which the Town of Plymouth shall be named as an insured or beneficiary, issued by an insurance company authorized to issue such insurance in Massachusetts, including the following such limits as herein indicated:

Umbrella Liability	Each Occurrence	\$2,000,000.00
	Aggregate	\$2,000,000.00
General Liability		
Includes:	Each Occurrence	\$1,000,000.00
	Aggregate	\$3,000,000.00
Comprehensive Form		
Premises/Operations		
Underground Explosion & Collapse Hazard		
Products / Completed Operations		
Broad Form Property Damage		
Personal Injury		
Automobile Liability		\$1,000,000 CSL
General Liability		
Includes:	Bodily Injury &	\$1,000,000.00
	Property Damage	
	Combined	
All Owned Vehicles		
Hired Vehicles		
Non-owned Vehicles		
Workers Compensation & Employers Liability		
As required by the Commonwealth of Massachusetts		
<i>(Note: Amounts as of July 1, 2007)</i>		
	Each Accident	\$ 100,000.00
	Bodily Injury by	\$ 500,000.00
	Disease (Policy Limit)	
	Bodily Injury by	\$ 100,000.00
	Disease (Each Employee)	

Exemption to filing insurance endorsement may be made to self insurers and State and Federal Government agencies.

ADDITIONAL REQUIREMENTS:

1. A listing of available equipment, previous projects of similar size and scope, completed within the past three (3) years, and references, including phone numbers and persons that may be contacted concerning these projects.

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2. The contractors Health & Safety Manual shall be submitted and reviewed by the Town Safety Compliance Officer.
3. A Certificate of Insurance acceptable to said Permitting Authority listing the Town of Plymouth as additionally insured. Exemption to filing insurance endorsement may be made to self insurers and State and Federal Government agencies.
4. Permits must be kept at the job site during the progress of the excavation and must be shown, upon request, to any authorized Town personnel or other interested person.
5. Workers Compensation Insurance Affidavit as required by the Commonwealth of Massachusetts.
6. Certificate of Compliance with the Commonwealth of Massachusetts.

INSPECTIONS:

The Contractor shall contact the Permitting Authority to inspect all work. Inspection notification, at least twenty-four (24) hours in advance (one workday), is required for each of the following stages of work:

- Start of work.
- Prior to any backfilling operations
- Prior to any paving operation
- Final Inspection - written notification required

The Contractor shall comply with any corrective work requested by the Permitting Authority prior to proceeding further on the project. The Contractor shall request from the Permitting Authority in writing a Final Inspection when the project is completed. The determination as to the acceptability of the work shall be at the sole discretion of the Permitting Authority.

OBLIGATION TO RECTIFY DEFECTS:

The Contractor shall rectify defects in work to the extent necessary and as required by the Permitting Authority. Said work shall be done as soon as possible and within five (5) calendar days of receipt of notice from the Permitting Authority. If deemed a safety issue the Town reserves the right to perform the repair work and bill the Contractor.

GUARANTEE:

The Contractor is responsible and shall guarantee all work is free from defects in workmanship or material for a period of three (3) years, or two (2) years when Controlled Density Fill (CDF) is used, from the date the work is accepted as complete by the Town. If any settlement, cracking, pavement deterioration or similar problem occurs the Contractor shall promptly repair such defect at no expense to the Town.

REVOCATION OF LICENSE:

Three (3) documented incidents of poor quality of work failure to complete the work in a timely manner, unless a permit extension is granted, or unwillingness to comply with these regulations shall result in the suspension of license of one (1) year and three (3) years probation. Once on probation, one (1) documented incident of poor performance shall result in the suspension of license for two (2)

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years and three years probation, to be added to (and not served concurrently with) any prior probation. Cancellation of the insurance endorsement automatically revokes the permit.

The Town may refuse to issue a permit, when in the opinion of the Permitting Authority, work done by the Contractor in the past has not been properly executed or failed to reimburse the Town for recoverable charges billed for a previous permit.

Additionally, the Permitting Authority may suspend or revoke a Contractor's permits and licenses without a fee refund if, in the opinion of the Director the Contractor is not adequately skilled or competent to undertake the work under the license. The license will be revoked if an evasion or attempt to evade any material provision of the permit, or the perpetration or attempt to perpetrate any fraud or deceit upon the Town or its citizens. The license will be revoked for a material misrepresentation of fact in the license application.

FINES:

As provided in MGL c. 40. §21D (noncriminal disposition), any person or Contractor of any kind, including utility companies who perform non-emergency excavation work without a valid permit shall be fined \$100.00 each day per occurrence per site until a permit or permit extension has been applied for and approved.

Any person or Contractor who performs emergency work and fails to apply for a permit within two (2) working days following the commencement of work shall be fined \$100.00 each day until a permit extension has been applied for and approved.

Any person or Contractor who performs work without a permit on the basis that it is an emergency, and it is subsequently determined by the Permitting Authority that the work was not a bona fide emergency, shall be fined \$100.00 each day until a permit extension has been applied for and approved.

D. APPLICATION FOR PERMIT AND FEES

Permits and their associated fees are herein established. Please allow ten (10) business days to process the application.

At the time of application, a check for \$200.00 minimum charge must be paid to cover the administration cost. This service charge is in addition to the charges assessed for water services or sewer installation. All contractors must obtain a Utility Contractor's license for any utility excavation for which there is a \$150.00 annual charge; Utility Contractor's licenses expire on December 31st every year. When required, Contractors must provide a listing of available equipment, previous projects, of similar size and scope, completed within the past three (3) years, and references that may be contacted about these projects.

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PHOTOGRAPHIC RECORD:

The applicant shall provide pre-construction photographs in a hard copy and/or acceptable electronic format (jpg or approved). At the time of final inspection, or upon project completion, construction and post-construction photographs in a hard copy and/or acceptable electronic format (.jpg or approved) shall be submitted to the Permitting Authority. Videos may be required on large projects.

DURATION OF PERMIT:

Permits will be null and void if work does not begin within ninety (90) days or work is not completed within one hundred and twenty (120) days from the time the permit is issued. Permits may be extended by written consent by the Permitting Authority.

GENERAL CONSTRUCTION is defined as follows:

- Any street opening for underground work performed within the right-of-way.
- Any street opening for underground work requiring more than two (2) separate cuts or trenches.
- Any street opening for underground work that affects more than fifty (50) linear feet of roadway, as measured along the centerline of the traveled way.
- Any installation of pipe or conduit within the right-of-way.

STREET OCCUPANCY, DRIVEWAY PAVING & APRONS:

This category includes any work, which does not require an excavation, but does require equipment to work or occupy area within the right-of-way. Examples of this work include but are not limited to the following:

- No excavation involved
- Driveway paving / widening
- Obstruction of a sidewalk
- Placement of equipment or materials on or adjacent to the road

DRIVEWAY WIDENING / MODIFICATION:

For the convenience of Plymouth residents seeking access to parcels of land within Plymouth, the Director, in consultation with the Police Department and the Department of Inspectional Services, will issue permits to residents for curb cuts on non-heavily traveled roads.

WATER/SEWER SERVICE CONNECTIONS OR RELOCATIONS:

All water and sewer utility work within the right of way requires a permit obtained from the Permitting Authority. All work shall comply with the Town's standards and plans and must be reviewed and approved by the Water Division and Sewer Division.

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STORM WATER CONNECTIONS:

All stormwater work within the right of way requires a permit obtained from the Permitting Authority. All work shall be subject to review and approval by the Director of Public Works. All handling of stormwater shall comply with the Towns guidelines, Federal National Pollutant Discharge Elimination System (NPDES) and State Storm Water Permit requirements, the latest Best Management Practices (BMPs) and Low Impact Development (LID). A stormwater maintenance plan is a BMP and shall be required.

WORK NOT UNDER THE TOWN'S JURISDICTION:

This category shall include work done under Massachusetts Department of Transportation (MassDOT) or another permitting agency. A permit from the Permitting Authority is required; however, no fees or requirements are involved.

FEE SCHEDULE:

CATEGORY	FEE	
Permit Application Fee	\$200.00	
Utility Contractor's Application Fee	\$150.00	
Water Connection	As determined by the Water Division	
Sewer Connection	As determined by the Sewer Division	AGE OF PAVEMENT:
Extended Maintenance Fee for roads within the 5-Year Moratorium	\$2,500.00	0 – 12 months
	\$2,000.00	13 – 24 months
	\$1,500.00	25 – 36 months
	\$1,000.00	37 – 48 months
	\$750.00	49 – 60 months

By applying for, accepting and signing this permit, the applicant hereby attests to the following: (i) that he has read and understands the regulations promulgated by the department of public safety about construction related excavations and trench safety, (ii) that he has read and understands the federal safety standards promulgated by the Occupational Safety and Health Administration on excavations: 29 CFR 1926.650 et. seq., entitled Subpart P "Excavations", and (iii) that he is aware of and has, with regard to the proposed trench excavation on private property or proposed excavation of a city or town public way that forms the basis of his permit application.

E. TRENCH SAFETY REQUIREMENTS & LAWS

Competent Person: A competent person (as defined by 520 CMR 14.00) shall be onsite and identified to the permitting authority, any investigator from the Division of Occupational Safety,

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any inspector of the Department of Public Safety, or any other lawfully authorized authority when requested.

Excavation and Trench Safety Regulation (520 CMR 14.00): All Excavators, whether public or private must adhere to 520 CMR 14.00: Excavation and Trench Safety Regulations.

Summary of Excavation and Trench Safety Regulation (520 CMR 14.00 et seq.) This summary was prepared by the Massachusetts Department of Public Safety pursuant to G.L.c.82A and does not include all requirements of the 520 CMR 14.00. To view the full regulation and G.L.c.82A, go to www.mass.gov/dps.

Pursuant to M.G.L. c. 82, § 1, the Department of Public Safety, jointly with the Division of Occupational Safety, drafted regulations relative to trench safety. The regulation is codified in section 14.00 of title 520 of the Code of Massachusetts Regulations. The regulation requires all excavators to obtain a permit prior to the excavation of a trench made for a construction-related purpose on public or private land or rights-of-way. All municipalities must establish a local permitting authority for the purpose of issuing permits for trenches within their municipality. Trenches on land owned or controlled by a public (state) agency requires a permit to be issued by that public agency unless otherwise designated.

In addition to the permitting requirements mandated by statute, the trench safety regulations require that all excavators, whether public or private, take specific precautions to protect the general public and prevent unauthorized access to unattended trenches. Accordingly, unattended trenches must be covered, barricaded or backfilled. Covers must be road plates at least $\frac{3}{4}$ " thick or equivalent; barricades must be fences at least 6' high with no openings greater than 4" between vertical supports; backfilling must be sufficient to eliminate the trench. Alternatively, excavators may choose to always attend trenches, for instance by hiring a police detail, security guard or other attendant who will be present during times when the trench will be unattended by the excavator.

The regulations further provide that local permitting authorities, the Department of Public Safety, or the Division of Occupational Safety may order an immediate shutdown of a trench in the event of a death or serious injury; the failure to obtain a permit; or the failure to implement or effectively use adequate protections for the general public. The trench shall remain shut down until re-inspected and authorized to re-open provided, however, that excavators shall have the right to appeal an immediate shutdown. Permitting authorities are further authorized to suspend or revoke a permit following a hearing. Excavators may also be subject to administrative fines issued by the Department of Public Safety for identified violations.

Inspections: Permitting authorities are not required to conduct inspections of trenches for which they have issued permits. However, a permitting authority notified of a potential violation is authorized to take action including an immediate shutdown if violations of 520 CMR 14.00 are identified.

Immediate Shutdown by State or Local Authorities.

(a) Whenever the permitting authority, or an inspector from either the Department of Public Safety or the Division of Occupational Safety deems a condition at a trench site to be a threat to public safety he may order that the area around the trench be made safe for the general public and may further order the immediate shutdown of the site until such time as the condition has been corrected to the satisfaction of the authority responsible for the immediate shutdown.

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(b) Conditions which warrant immediate shutdown of a trench site by the local permitting authority, an inspector from the Department of Public Safety or the Division of Occupational Safety may include:

- a. A fatality or serious injury to a member of the general public.
- b. Failure to use protections for the General Public in accordance with 520 CMR 14.00 or an ineffective use of any protection for the General Public allowed by 520 CMR 14.04; 3. Failure to obtain a permit from the permitting authority.
- c. Any other condition that constitutes a serious threat to life, limb or property of the general public as determined by the permitting authority, an inspector from the Department of Public Safety, or the Division of Occupational Safety.

Re-inspection Following Immediate Shutdown:

The trench site shall remain closed until all necessary repairs and corrections have been made to the satisfaction of the authority responsible for the immediate shutdown, provided however, that the Department of Public Safety and Division of Occupational Safety shall have concurrent jurisdiction to authorize the reopening of a trench shut down by either agency. Reopening of the site may not occur until the site has been inspected by the authority ordering the immediate shutdown and found to be safe for reopening and operation; said inspection shall occur within two business days of written notification by the Excavator to the Permitting Authority that it has complied with all repairs and corrections ordered by the Permitting Authority.

DIG SAFE LAW: Excavators are required to adhere to M.G.L c. 82 **40 through 40E**, also known as the "Dig Safe" Law.

SECTION 40. The following words, as used in this section and sections 40A to 40E, inclusive, shall have the following meanings:

"Company", natural gas pipeline company, petroleum or petroleum products pipeline company, public utility company, cable television company, and municipal utility company or department that supply gas, electricity, telephone, communications or cable television services or private water companies within the city or town where such excavation is to be made. "Description of excavation location", such description shall include the name of the city or town, street, way, or route number where appropriate, the name of the streets at the nearest intersection to the excavation, the number of the buildings closest to the excavation or any other description, including landmarks, utility pole numbers or other information which will accurately define the location of the excavation.

"Emergency" a condition in which the safety of the public is in imminent danger, such as a threat to life or health or where immediate correction is required to maintain or restore essential public utility service.

"Excavation" an operation for the purpose of movement or removal of earth, rock or the materials in the ground including, but not limited to, digging, blasting, augering, backfilling, test boring, drilling, pile driving, grading, plowing in, hammering, pulling in, jacking in, trenching, tunneling and demolition of structures, excluding excavation by tools manipulated only by human power for gardening purposes and use of blasting for quarrying purposes.

"Excavator", any entity including, but not limited to, a person, partnership, joint venture, trust, corporation, association, public utility, company or state or local government body which performs excavation operations.

"Premark", to delineate the general scope of the excavation or boring on the paved surface of the ground using white paint, or stakes or other suitable white markings on nonpaved surfaces. No

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premarking shall be acceptable if such marks can reasonably interfere with traffic or pedestrian control or are misleading to the general public. Premarking shall not be required of any continuous excavation that is over 500 feet in length.

"Safety zone", a zone designated on the surface by the use of standard color-coded markings which contains the width of the facilities plus not more than 18 inches on each side.

"Standard color-coded markings", red - electric power lines, cables, conduit or light cables; yellow - gas, oil, street petroleum, or other gaseous materials; orange - communications cables or conduit, alarm or signal lines; blue - water, irrigation and slurry lines; green - sewer and drain lines; white - premark of proposed excavation.

"System" The underground plant damage prevention system as defined in section 76D of chapter 164.

SECTION 40A. No excavator installing a new facility or an addition to an existing facility or the relay or repair of an existing facility shall, except in an emergency, make an excavation, in any public or private way, any company right-of-way or easement or any public or privately owned land or way, unless at least 72 hours, exclusive of Saturdays, Sundays and legal holidays but not more than 30 days before the proposed excavation is to be made, such excavator has premarked not more than 500 feet of the proposed excavation and given an initial notice to the system. Such initial notice shall set forth a description of the excavation location in the manner as herein defined. In addition, such initial notice shall indicate whether any such excavation will involve blasting and, if so, the date and the location at which such blasting is to occur. The notice requirements shall be waived in an emergency as defined herein; provided, however, that before such excavation begins or during a life-threatening emergency, notification shall be given to the system and the initial point of boring or excavation shall be premarked. The excavator shall ensure that the underground facilities of the utilities in the area of such excavation shall not be damaged or jeopardized. In no event shall any excavation by blasting take place unless notice thereof, either in the initial notice or a subsequent notice accurately specifying the date and location of such blasting shall have been given and received at least 72 hours in advance, except in the case of an unanticipated obstruction requiring blasting when such notice shall be not less than four hours prior to such blasting. If any such notice cannot be given as aforesaid because of an emergency requiring blasting, it shall be given as soon as may be practicable but before any explosives are discharged.

SECTION 40B. Within 72 hours, exclusive of Saturdays, Sundays and legal holidays, from the time the initial notice is received by the system or at such time as the company and the excavator agree, such company shall respond to the initial notice or subsequent notice by designating the location of the underground facilities within 15 feet in any direction of the premarking so that the existing facilities are to be found within a safety zone. Such safety zone shall be so designated by the use of standard color-coded markings. The providing of such designation by the company shall constitute *prima facie* evidence of an exercise of reasonable precaution by the company as required by this section; provided, however, that in the event that the excavator has given notice as aforesaid at a location at which because of the length of excavation the company cannot reasonable designate the entire location of its facilities within such 72 hour period, then such excavator shall identify for the company that portion of the excavation which is to be first made and the company shall designate the location of its facilities in such portion within 72 hours and shall designate the location of its facilities in the remaining portion of the location within a reasonable time thereafter. When an emergency notification has been given to the system, the company shall make every attempt to designate its facilities as promptly as possible.

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SECTION 40C. After a company has designated the location of its facilities at the location in accordance with section 408, the excavator shall be responsible for maintaining the designation markings at such locations, unless such excavator requests remarking at the location due to the obliteration, destruction or other removal of such markings. The company shall then remark such location within 24 hours following receipt of such request. When excavating in close proximity to the underground facilities of any company when such facilities are to be exposed, non-mechanical means shall be employed, as necessary, to avoid damage in locating such facility and any further excavation shall be performed employing reasonable precautions to avoid damage to any underground facilities including, but not limited to, any substantial weakening of structural or lateral support of such facilities, penetration or destruction of any pipe, main, wire or conduit or the protective coating thereof, or damage to any pipe, main, wire or conduit. If any damage to such pipe, main, wire or conduit or its protective coating occurs, the company shall be notified immediately by the excavator responsible for causing such damage. The making of an excavation without providing the notice required by section 40A with respect to any proposed excavation which results in any damage to a pipe, main, wire or conduit, or its protective coating, shall be *prima facie* evidence in any legal or administrative proceeding that such damage was caused by the negligence of such person.

SECTION 40D. Nothing contained herein shall be construed to affect or impair local ordinances or by-laws requiring permits to be obtained before excavation in a public way; provided, however, that notwithstanding any contrary provision of local ordinances or by-laws, no permit to excavate in a public way shall be approved or issued by the officer or board having charge of any such way, except in an emergency as herein defined, until such time as proof of such notices to the system have been filed with such officer or board by the applicant for the permit as required by this section and notice of issuance of a permit to excavate have been served by such officer or board upon the appropriate water and sewer department.

SECTION 40E. Any person or company found by the department of telecommunications and energy, after a hearing, to have violated any provision of sections 40A to 40E, inclusive, shall be fined \$1000 for the first offense and not less than \$5,000 nor more than \$10,000 for any subsequent offense within 12 consecutive months as set forth by the rules of said department; provided, however, that nothing herein shall be construed to require forfeiture of any penal sum by a state or local government body for violation of section 40A or 40C; and provided, further, that nothing herein shall be construed to require the forfeiture of any penal sum by a residential property owner for the failure to premark for an excavation on such person's residential property

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MA DIG SAFE LAW AT A GLANCE:



Laws at a Glance

This guide is designed for quick view only and is not all-inclusive. To download a complete copy of Dig Safe state laws and rules, please go to digsafe.com – “Laws & Enforcement.”

Massachusetts
Statute Chapter 82,
Section 40

Who must notify Dig Safe? Anyone who excavat

LAST UPDATE: 10/20/19

What excavation areas require notification? Public ways and private property

What utilities are required to participate? Gas, Electric, Telephone, Cable Television and Private Water Companies

Advance Notice Requirement:

(excludes weekends and holidays)	Minimum	72 Hours
	Maximum	30 Days
	Emergencies	ASAP

Utility response time: 72 Hours

Unanticipated blasting notice (after initial notice) 4 Hours

Remark Notice: 24 Hours

Ticket Expiration: 30 Days
(from date of issue)

Violation penalties:
First offense \$1000
Subsequent offenses \$5000 to \$10,000

** The excavator is responsible to maintain marks.*

Excavators engaging in any trenching operation shall familiarize themselves with the DigSafe Excavator Manual “A guide to safe excavation practices in Massachusetts, New Hampshire, Rhode Island and Vermont.”

OSHA Excavation Standard. Persons engaging in any trenching operation shall familiarize themselves with the federal safety standards promulgated by the

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Occupational Safety and Health Administration on excavations: 29 CFR 1926.650 et seq., entitled Subpart P "Excavations".

For further information or a full copy of the standard go to www.osha.gov

F. GENERAL CONDITIONS

PRECONSTRUCTION MEETING:

A preconstruction meeting may be required at the discretion of the Permitting Authority.

PLANS:

Before any permit is issued, per the discretion of the Permitting Authority, a complete plan and profile, stamped by Professional Engineer and/or Professional Land Surveyor, Registered in the Commonwealth of Massachusetts, may be required with the application showing the following:

- The location of the proposed construction.
- The location, size and material of all existing utilities within the proposed construction area based on the field location and the best means and information of record.
- The elevations of existing underground facilities crossed or connected to the proposed installations.
- The elevations of proposed construction at all crossing points of possible conflict.
- The inverts at all proposed manholes or cleanouts.
- When work of a major scope is proposed, plans certified by a Professional Engineer and specifications must be submitted, including electronic files acceptable to the Director. The plans should be detailed enough to clearly indicate both existing conditions and proposed work. Sewer or Water location ties shall be provided to the Town. After completion of the major work an As-built plan shall be provided to the Town. The plans will be provided in AUTOCAD/dwg format and ARCGIS.

GENERAL REQUIREMENTS AND RESTRICTIONS:

1. The Contractor shall be responsible for obtaining all permits required for equipment, workers, or operations (such as work near wetlands or blasting if needed) in the performance of the work. Any Orders of Condition, Board of Health, Building, Permit to Use Parking/Restricted Spaces, demolition or other required permits must be obtained by the Contractor prior to commencing work.
2. Permit shall be posted in plain view on the site of the trench.
3. Work shall start as near to the starting date specified in the permit as possible. DIG-SAFE (1-800-DIG-SAFE) shall be notified at least 72 prior to the start of work. Plymouth Water and Sewer Divisions must also be notified. Every effort shall be taken to notify all other utility companies, such as cable or telecommunications. (Refer to 220 CMR 99.00 for complete outline of rules and regulations.) A twenty-four (24) hour notice starting work to the Department of Public Works is sufficient except in critical areas forty-eight (48) hours notice to the Department prior to starting work is required.
4. An up to date DigSafe ticket must be kept at the job site during the progress of excavation and must be shown, upon request, to any authorized Town personnel or other interested person.

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5. No street opening permits shall be issued between November 15th and April 1st, except in cases of emergencies, as determined by the Permitting Authority.
6. Trenches on all streets except local streets shall be backfilled with Controlled Density Fill (CDF). CDF shall meet the requirements of MassDOT Standard Specifications Section M.4.08.0.
7. Borings on all streets shall be backfilled with Controlled Density Fill (CDF).
8. Night Work - The Permitting Authority may determine that safety and convenience necessitates the work be done during other than normal working hours.
9. No street opening permits shall be issued between Memorial Day and Labor Day except in cases of emergencies, as determined by the Permitting Authority on the following streets:

Brewster Street	Carver Street	Cherry Street
Chilton Street	Commerce Way	Court Street
Howland Street	Leyden Street	Lincoln Street
Main Street	Main Street Extension	Memorial Drive
Middle Street	North Park Avenue	North Street
Oak Street	Oberry Street	Pilgrim Hill Road
Russell Avenue	Samoset Street	Sandwich Street
South Park Avenue	South Street	Standish Avenue
Summer Street	Union Street	Water Street

The above listed streets shall be treated as Collector streets.

10. A traffic control plan shall be submitted, unless waived by the Permitting Authority for all work.
11. **Street Opening Moratorium** - No permits shall be issued on newly constructed or paved roads for a period of five (5) years after the roadway is constructed or paved. If a newly constructed or paved road is opened due to an emergency, or as approved by the Permitting Authority, at a minimum, the following will be required:
 - Any permit issued for a road within the 5-Year Moratorium requires the payment of an Extended Maintenance Fee as set forth in the Fee Schedule.
 - All material excavated from trenches shall be removed from the site of the work except when the material is suitable for, and permission has been granted by the Permitting Authority to use for back fill. All excess material is to be disposed of by the Contractor at his/her expense.
 - The trench shall be backfilled with Controlled Density Fill (CDF). CDF shall meet the requirements of MassDOT Standard Specifications Section M.4.08.0. It must be batched at a concrete plant, must be flowable, require no vibrating, and the finished product must be able to be excavated without the use of power tools.
 - After the trench work has been completed in accordance with these specifications, the Contractor shall restore the paved area as specified by the Permitting Authority. Infra-red treatment shall be used for trenches less than one hundred (100) linear feet.
 - Trenches exceeding one hundred (100) linear feet shall require milling and a one and one half (1½) inch minimum bituminous concrete overlay. Bituminous cold mix material may only be used if bituminous concrete is unavailable front the batch plant. Said overlay shall extend a minimum of fifty (50) feet beyond the limits of the trench.
12. If the proposed street opening for underground work affects more than fifty (50) feet of roadway area measured longitudinally, the Permitting Authority has the option, including but not limited to, requiring grinding and inlaying, infra-red treatment, or a complete curb to curb pavement overlay of the affected area.
13. Except in emergencies, work shall be limited to the hours of 7:00 AM to 5:00 PM Monday through Friday. On Collector streets work shall be limited to the hours of 9:00 AM to 4:00 PM Mondays through Friday, unless approved by the Permitting Authority. No work shall commence

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prior to a Holiday weekend when there is a chance that the work will not be completed on the Thursday prior to the Holiday weekend.

14. The Contractor shall use reasonable care to ensure that all tools, appliances or equipment producing noise are within acceptable decibel levels for the times they are used so as not to unreasonably disturb the sleep or repose of occupants of the neighboring property.
15. Except in emergencies, no work shall be allowed on Saturdays, Sundays and legal holidays. No new excavation work shall commence on Fridays.
16. Should it be determined by the Permitting Authority that work of an emergency nature must be accomplished by the Town, the total cost of the traffic controls, police detail, labor and materials shall be charged to the permit holder.
17. No work, other than of an emergency nature shall be authorized during snow and ice storms and subsequent snow removal operations.
18. Access to private driveways and fire hydrants must be always maintained during construction operations.
19. In granting any permit the Permitting Authority may attach such other conditions thereto as may be reasonably necessary to prevent damage to public or private property or to prevent operation from being conducted in a manner hazardous to life or property or in a manner likely to cause a nuisance. Such conditions may include but shall not be limited to:
 - Limitations on the time of day and/or year in which the work may be performed.
 - Restrictions to the size and type of equipment, which work within the right-of-way.
 - Routes upon which materials and equipment may be transported.
 - Location and manner of disposal of excavated materials
 - Requirements for dust control, street cleaning, noise prevention, or other activities that may be considered a nuisance.
 - Regulations as to the use of streets during the work
20. Nothing in these rules shall be construed to prevent the making of such excavations as may be necessary for the preserving of life or property or for locating trouble in conduit, cable, or pipe, or for making repairs, provided that the person making such excavation shall apply to the Director for such permit on the first working day after such emergency work is commenced. The person engaged in the emergency action shall notify the Department of Public Works, the Police Department and the Public Utilities, at the start of the emergency work.

MAINTENANCE OF TRAFFIC:

(See also **GENERAL REQUIREMENTS AND RESTRICTIONS** 8. Night Work)

1. Traffic and safety control methods used shall comply with the latest edition of the Manual Uniform Traffic Control Devices (MUTCD). These standards are authorized by *Chapter 85, Section 2 of the Massachusetts General Laws*. The Manual Uniform Traffic Control Devices shall be the sole responsibility and liability of the contractor.
2. Two-way traffic must be always maintained, unless approval of detour routing has been approved by the Plymouth Police, Fire Departments and Permitting Authority prior to work commencing. If work is not complete at the end of the workday, the travel lanes must be reopened to traffic for overnight use either by placement of a temporary patch or steel plates capable of supporting H-20 loads (H30 for Collector streets). If steel plates are used the steel plates shall be pinned in place and have the edge facing traffic protected by bituminous concrete ramps having a slope of two (2) horizontal to one (1) vertical.

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3. Trenches on Public Ways. Access to unattended trenches opened during construction on a public way shall be restricted by covers or barriers. (a) Where covers are used, they shall be comprised of steel metal plates no less than $\frac{3}{4}$ inch thick, or equivalent. Covers shall be placed over the trench. Such covers shall be pinned in place, level and physically secure to prevent the creation of a hazard by inadvertent movement.
4. Trench barriers adjacent to high-speed traffic may include traffic control barrels ballasted by sandbags or temporary pre-cast concrete barriers as component.
5. All excavated material shall be placed so that vehicular and pedestrian traffic may be maintained at all times. If the excavation becomes a hazard or if it excessively restricts traffic at any point, then special construction procedures shall be taken, such as limiting the excavation and prohibiting stockpiling material in the street.
6. The Contractor shall keep the Plymouth Police and Fire Departments apprised of any traffic delays or detours resulting from the work. If a police detail is required, they shall be provided at the Contractor's expense.

DETOURS:

1. All detours must be approved by the Plymouth Police Department, the Plymouth Fire Department and the Permitting Authority. The Contractor shall provide a Traffic Management Plan clearly showing the location of the work, the detour route, and the location and wording for all traffic signage.
2. Traffic and safety control methods, types of signs, warning lights and barriers shall be provided by the Contractor and shall comply with the latest edition of the Manual Uniform Traffic Control Devices (MUTCD) and shall be the sole responsibility and liability of the Contractor.

EXCAVATION AND BACKFILLING:

1. The use of hydro-hammers or heavy-duty pavement breakers for breaking pavement is prohibited on all streets unless written permission is granted by the Permitting Authority for such use after due consideration of the location, the condition of the street and the depth of saw cutting required prior to the use of the hammers.
2. Sections of bituminous or cement concrete sidewalks shall be removed to the nearest score-line or approved saw cut edge.
3. Unstable pavement shall be removed over cave-outs and over breaks and the sub-grade shall be treated as the main trench.
4. Pavement edges shall be trimmed to a vertical face and neatly aligned with the centerline of the trench.
5. Cut-outs outside of the trench lines must be perpendicular or aligned parallel to the centerline of the trench.
6. Generally, excavations shall be made in open cut. Trenchless technologies will be allowed by special permission of the Permitting Authority. The Contractor shall comply with the required OSHA regulations for the duration of their permit.
7. No street opening shall extend beyond the centerline of the street before being backfilled and the street surface being temporarily restored using bituminous concrete, unless steel plates capable of supporting H-20 loads are used (H-30 loads for Collector streets). If steel plates are used shall have the edge facing traffic protected by bituminous cold mix ramps having a slope of two (2) horizontal to one (1) vertical. Steel plates must be pinned in place.

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8. No more than one hundred (100) feet measured longitudinally shall be opened in any street at any time, except by special permission of the Permitting Authority.
9. The trench in the street must be filled and temporarily resurfaced in the same day it is opened, or as stipulated by the Permitting Authority. The trench shall be backfilled to within fourteen (14) inches of the top with approved excavated materials or gravel for backfilling. A minimum of twelve (12) inches of approved gravel, maximum stone size 2 inches shall be placed in the trench and the remaining two (2) inches shall be filled with temporary bituminous concrete surface. Road surface shall be pre-cut to avoid damaging surfaces surrounding the trench.
10. Backfill material in the trench must be mechanically tamped in six (6) inch layers; or if the backfill material does not contain too much clay; it may instead be thoroughly wetted unless otherwise directed by the Public Works Department. If the temporary road surface is not placed the first day, then as soon as it is consistent with the permanency of the work or directed by the Public Works Department, the gravel sub-base shall be excavated to the required grade in order to place temporary minimum two (2) inches of bituminous surface. The temporary pavement shall be placed and raked to a uniform surface, rolled to the required thickness and to a grade that will match the existing bituminous road surface.
11. The Contractor shall remove and acceptably dispose of all excavated material before proceeding with the remainder of the work and shall thoroughly compact the surface of the sub-base. Any broken or irregular edges of the existing pavements shall be cut away in straight lines, leaving a sound vertical face at least six (6) inches back from the edge of existing pavement.
12. All existing drainage facilities shall be adequately safeguarded so as not to impede flows or cause silting. This includes catch basins, pipes, swales, ditches and brooks. If the Contractor damages or impairs any drainage facility, he/she shall repair the damage within the same day.
13. If the road patch starts to fail, the Contractor must respond and repair the pavement on a Major or Minor Collector street within four (4) hours of notification. On local roads, the Contractor must respond within twenty-four (24) hours of notification unless a safety hazard exists. If a safety hazard exists, the Contractor must respond within four (4) hours of notification. If the Contractor fails to respond within that time the Town may repair the patch and bill the Contractor for such repair.

RELOCATION AND PROTECTION OF UTILITIES:

1. The Contractor shall not interfere with any existing utility without the written consent of the utility owner. If it becomes necessary to relocate an existing utility, the owner of said utility shall direct and inspect the relocation. Costs of such work shall be borne by the Contractor.
2. The Contractor shall adequately support and protect all water mains, sewers, drains, manholes, structures, vaults, pipes, conduits, poles, wires, cables, or otherwise, which may be affected by the work performed. Should any other utility or appurtenance thereto be damaged, such damage shall be repaired by the Contractor to the satisfaction of the utility owner. All repair work must be inspected by the owner of the utility. Costs of such work shall be borne by the Contractor.
3. A minimum 10-foot horizontal separation is required from any existing drain, water main or sewer main. In the event that the 10-foot horizontal separation cannot be maintained, the Contractor must obtain approval from the utility owner to ensure that utilities are adequately protected.

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TEMPORARY RESTORATION:

1. Once the work is complete, the pavement shall be temporarily restored with bituminous concrete and the permanent trench restoration shall be placed the following construction season, allowing the trench to settle over a winter freeze thaw cycle.
2. If Controlled Density Fill (CDF) is used the trench may be permanently restored at this time.

PERMANENT RESTORATION:

1. All permanent paving shall be done in accordance with the specifications of the Department of Public Works of the Town of Plymouth by and at the expense of the Contractor.
2. For Major Collector streets the bituminous concrete base and top shall be laid and rolled in three (3) courses. The two binder courses shall be not less than the thickness existing base course and the first binder course shall be a minimum of two and a half (2-1/2) inches in depth. The second binder course shall be a minimum of two and a half (2-1/2) inches in depth. The top course shall be not less than the thickness existing top course and shall be a minimum of two (2) inches in depth. The minimum total thickness of both courses, measured after rolling, shall be seven (7) inches. The base course of the permanent pavement shall be placed and carefully raked to a minimum surface and thoroughly rolled to the required thickness. Before placing the base course of the permanent pavement, the edge of the original bituminous surfacing shall receive an application of approved asphalt emulsion so that the new pavement material may be properly bonded to the old. The top course of the paving shall be placed to a grade that will match the existing surface after rolling.
3. For Minor Collector streets the bituminous concrete base and top shall be laid and rolled in three (3) courses. The binder course shall be not less than the thickness existing base course and the first binder course shall be a minimum of (2) inches in depth. The second binder course shall be a minimum of (2) inches in depth. The top course shall be not less than the thickness of existing top course and shall be a minimum of one and a half (1-1/2) inches in depth. The minimum total thickness of both courses, measured after rolling, shall be five and one half (5½) inches. The base course of the permanent pavement shall be placed and carefully raked to a minimum surface and thoroughly rolled to the required thickness. Before placing the base course of the permanent pavement, the edge of the original bituminous surfacing shall receive an application of approved asphalt emulsion so that the new pavement material may be properly bonded to the old. The top course of the paving shall be placed to a grade that will match the existing surface after rolling.
4. For local streets, the bituminous concrete base and top shall be laid and rolled in two (2) courses. The binder course shall be not less than the thickness existing base course and shall be a minimum of two (2) inches in depth. The top course shall be not less than the thickness existing top course and shall be a minimum of one and one-half (1 ½) inches in depth. The minimum total thickness of both courses, measured after rolling, shall be three and one-half (3 ½) inches and shall not be less than the thickness existing total thickness of both courses. The base course of the permanent pavement shall be placed and carefully raked to a minimum surface and thoroughly rolled to the required thickness. Before placing the base course of the permanent pavement, the edge of the original bituminous surfacing shall receive an application of approved asphalt emulsion so that the new pavement material may be properly bonded to the old. The top course of the paving shall be placed to a grade that will match the existing surface after rolling.
5. The permanent paving shall not overlap the existing pavement and will not have to be applied with a mechanical spreader unless otherwise directed.

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6. The Contractor shall furnish, place, grade and compact Bituminous Concrete Pavement of Class I Type I-I as shown and specified in the latest edition of the Massachusetts Highway Department of Public Works Standard Specifications for Highways and Bridges.
7. Any street or property bounds disturbed shall be reset by a Registered Land Surveyor.
8. All berms, curbing and driveways disturbed shall be restored to preconstruction conditions.
9. Under certain circumstances where trenches are considered extensive it may be required, upon completion of patching trenches, to overlay the affected area for the full width of the roadway and at least thirty (30) feet beyond the affected area with one (1) inch of dense graded bituminous concrete or suitable treatment as determined by the Permitting Authority.
10. All permanent pavement markings (crosswalks, traffic centerlines, etc.) that are obliterated or damaged during construction shall be replaced in kind (painted, epoxy or thermoplastic) per the direction of the Permitting Authority, at the expense of the Contractor.

SIDEWALK RESTORATION:

1. All sidewalks dug through shall be carefully patched, to meet ADA requirements, after backfilling. A bituminous concrete sidewalk shall be squared off and patched with the same material and rolled so as to provide a continuous smooth surface. Cement concrete sidewalks shall be repaired by making a new concrete panel or panels through which the trench passes. Preformed expansion joints, when deemed necessary, will be installed against buildings, utilities, walls, steps, foundations or existing concrete panels. The new cement concrete panels shall be made by Air Entrained Class "A" (3500 lb.) mix or better with fiberglass reinforcement and be matched in color with the remaining sidewalk as nearly as possible. All concrete must be cured by covering with material in accordance with the best-known concrete curing procedures. All walks shall be laid over a minimum of twelve (12) inches of well compacted gravel. Cement concrete shall be treated with silicone or linseed oil sealer for salt damage prevention. Sidewalks shall be a minimum of five (5) inches in depth and shall be eight (8) inches in depth at driveways. Repair of existing brick or similar walkways shall be placed over a minimum two (2) inches of bituminous concrete base. The Contractor shall be responsible for repairing any damage to public utilities (water, sewer, gas, electric, telephone, cable, etc.) or to Town trees, shrubs, poles or signs which may be disturbed or damaged during the work or on account thereof.

TREES, PLANTINGS AND LAWN REPLACEMENT:

1. The following measures shall be taken to avoid unnecessary damage and destruction of trees during construction.
 - a. All site or landscape plans should show all existing trees and indicate which trees are to be saved and which trees are to be removed.
 - b. Trees to be saved should be marked prominently and tree protection zones shall be set up to protect the trees from breakage, wounds, soil contamination, etc.
 - c. Vehicular traffic shall be restricted over the root zone to prevent soil compaction and subsequent root damage.
 - d. The cutting of surface roots shall be avoided whenever possible.
 - e. Authorization from the Towns Arborist/Tree Warden is required whenever excavations are to be made within the tree's drip line.
 - f. Requirements for excavations include the following.

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- Avoid cutting roots over two (2) inches in diameter. Roots which must be severed shall be cut cleanly and kept moist to promote recovery.
- Directional boring or tunneling may be required if excavations must be closer to the tree than the parameters listed below. When required, tunnels shall be a minimum of two and one half (2½) feet deep.
- For trees less than six (6) inches in diameter (dbh) trenching should come no closer than the drip line.
- For trees greater than six (6) inches in diameter (dbh) trenching should come no closer than the following chart

Tree Diameter (DBH)	Limit of Trench (tunneling required)
6- 9 inches	5 feet
10-14 inches	10 feet
15-19 inches	12 feet
> 19 inches	15 feet

2. The Contractor shall not remove, even temporarily, any trees or shrubs which exist in planting strip areas without first obtaining the consent of the Director of Public Works (See Massachusetts General Laws Chapter 87, Section 5 - cutting trees).

The following policy will be adhered to if a tree is destroyed by the Contractor or a tree is authorized for removal by the Permitting Authority:

- a. All tree stumps and debris resulting from the work shall be removed from the location.
 - b. A replacement shall be made by the Contractor for each tree removed or destroyed with a minimum caliper of 2 ½ inches or greater; the species and place of relocation to be designated by the Tree Warden planted in place and it must be balled and burlapped.
 - c. The Contractor shall deliver to the Director of Public Works a bona fide order, placed with a recognized established nursery before installing the authorized trees. The order shall include in the statement that the size and species required will be in accordance with "USA Standard for Nursery Stock" and that planting will be done in accordance with the applicable provisions of the Massachusetts Department of Public Works Standard Specifications.
 - d. For roadside planting the following types of tree will be acceptable subject to the approval by the Tree Warden as to which specific species is best suited for the location where the tree is to be planted: Sugar Maple, Crimson King Maple, European Linden or approved equal.
 - e. In certain areas of the Town ornamental trees such as Flowering Crab, European Mountain Ash, Japanese Flowering Cherry, Morine Ash and Washington Hawthorne are acceptable as replacement trees. These trees are purchased by height and not caliper and must be balled and burlapped. They must conform to the following minimum heights: 5'-6' for Flowering Crabs and Flowering Cherrys. And 6'-8' for Moraine Ash, European Mountain Ash and Washington Hawthorne.
 - f. In areas under utility wires the tree placement policy will be governed by the latest Boston Edison Company edition "Trees in Your Community" a copy which is available in the Public Works Department.
3. The Contractor shall replace plantings, loam and grass that existed prior to the work. Any walls curbing, walks or other structures damaged during the work shall be repaired to preconstruction condition by the Contractor. The Contractor shall be responsible for grass growth for two (2) months unless the work is done after September 15th when the Contractor shall be responsible until June 15th of the following year.

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ABANDONMENT OF UTILITIES:

Town utilities and service connections may be abandoned in place upon approval of the Permitting Authority, subject to the following conditions:

1. All pipes shall be sealed by installation of a cap, bulkhead or other approved means.
2. Structures shall be filled, and castings removed.
3. Gate boxes shall be removed.
4. Water service corporations shall be closed.
5. Plans showing the locations of the abandoned utilities shall be submitted to the Permitting Authority.

CLEANUP AND PROPERTY RESTORATION:

1. The Contractor shall conduct operations in a manner so as to minimize the creation and maximize the suppression of dust. The Contractor shall frequently cleanup all refuse, debris and other material generated by his/her operations. The site of the work and the adjacent areas affected thereby shall at all times present a neat, orderly and workmanlike appearance, including sweeping and wetting of streets if needed. The use of calcium chloride is prohibited unless specifically allowed in writing by the Permitting Authority.
2. When new construction for streets or site development involves trucks entering the street the entrance must be paved for a minimum distance of ten (10) feet up to forty (40) feet if required by the Permitting Authority.
3. The Contractor must employ at all times during the progress of his work adequate safety precautions to prevent injuries to persons or damage to property. The Contractor shall provide adequate material, equipment and labor to correct any and all areas deemed unsafe by the Permitting Authority.
4. Where material or debris has washed or flowed into or has been placed in existing water courses, ditches, gutters, drains, pipes, structures, such materials or debris shall be entirely removed and satisfactorily disposed of during the progress of the work and the ditches, channels, drains, pipes, structures and work shall, upon completion of the work, be left in a neat condition.
5. The Contractor shall restore or replace, when and as directed, any property damaged by his/her work, equipment or employees to a condition at least equal to that existing immediately prior to the beginning of operations. To this end, the Contractor shall do, as required, all necessary highway or driveway, walk and landscaping work. Materials, equipment, and methods for such restoration shall be as approved by the Permitting Authority.
6. The Contractor shall, at his/her own expense, shore up and protect buildings (All protective work carried out or deemed necessary affecting buildings must be approved by the Director of Inspectional Services), trees, walls, fences or other property likely to be damaged during the process of the excavation work and shall be responsible for all damage to public or private property or highways resulting from their failure properly to protect and carry out said work.
7. Before the work is deemed to be complete by the Permitting Authority, the Contractor shall perform a final cleanup to bring the construction site to its original condition.

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MISCELLANEOUS:

The Department of Public Works will not issue a Permit for any street within a subdivision which is still under the control of the Plymouth Planning Board.

G. SPECIFICATIONS

CONSTRUCTION METHODS AND MATERIALS:

All work and material shall comply in all respects to the latest edition of the Massachusetts Highway Department of Public Works Standard Specifications for Highways and Bridges, (Latest Edition). In addition, the following list materials required by the Town of Plymouth for purposes of standardization.

- All Water and Sewer materials shall be approved by the Plymouth Water and Sewer Divisions. Please refer to Water/Sewer Regulations and Rules.
- All Drain Manholes shall have LeBaron LK110A frames and covers or equal.
- All Catch Basins shall have minimum four (4) foot sumps, Eliminator or equal hoods, and LeBaron LF 242-2 frames and grates or equal.
- All brick used to adjust structures to the proper grade shall meet the “Standard Specifications.”
- All drainage pipes shall be HDPE or Reinforced Concrete pipe with “O” Rings or approved equal.

The contractor shall submit copies of shop drawings/specification for all materials used to the Permitting Authority for approval prior to the start of work.