

LICENSE NO. # _____ -

TOWN OF KILLINGLY
LICENSE TO PERFORM WORK WITHIN THE PUBLIC STREET

Name: _____ Phone # _____

Address: _____ Cell # _____

City: _____ State: _____ Zip: _____ Fax # _____

CT. Contractor's License No. _____

Email Address: _____

EMERGENCY CONTRACT # _____

***COPY OF THE BOND AND INSURANCE CO. MUST BE ACCOMPANIED
WITH THIS FORM FOR A NEW OR RENEWAL LICENSE TO BE VALID.***

➤ **BOND COMPANY**

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Bond Amount: \$20,000 MINIMUM _____ Expiration Date: _____

➤ **INSURANCE COMPANY**

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Policy Number: _____ Expiration Date: _____

NOTE: THE TOWN SHALL BE NAMED AS AN "ADDITIONAL INSURED" ON THE INSURANCE CERTIFICATE.

This license is issued under the authority of Chapter 13, Article II of the Killingly Code of Ordinances.
The licensee hereby agrees to abide by all of the requirements of said Ordinances.



CONTRACTOR SIGNATURE:

DATE:



APPROVED BY:

DATE:

TOWN MANAGER OR AUTHORIZED AGENT

LICENSE EXPIRATION DATE: December 31, each year. Fee amount due: \$50.00

DATE PAID: _____ **CHECK #** _____ **CASH** _____

X_____

Please sign here that you received the Ordinance
#C10-11, chapter 13, Article II packet.

Killingly Code of Ordinances

Street means any street, avenue, lane, road, highway, boulevard and any other public right-of-way existing or proposed for dedication and any public right-of-way shown on a map of an approved subdivision whether or not the streets within such subdivision have yet been accepted by the town. "Street" shall mean all that part thereof from street line to street line of the premises abutting thereon.

Subdivision regulation means the subdivision regulations of the town adopted February 8, 1971, and taking effect May 10, 1971. (Ord. of 11-16-72, § I; Ord. of 4-13-93)

Section 13-17 License and permit required for work within the street⁵

- (a) **License required.** Only a contractor duly licensed by the town manager or his/her designated agent as herein provided, will be allowed to do any work upon any street in the town.
- (b) **License-To whom issued; fee.** A license to perform specific work within the public streets will be issued by the town manager or his/her designated agent to any person or corporation who shall make proper application therefore, file a satisfactory bond, show evidence of liability insurance, and satisfy the town manager or his/her designated agent that he/she is competent and intends to perform his/her work in accordance with all applicable conditions, rules, regulations and specifications herein contained or hereafter adopted. A fee of fifty dollars (\$50.00) will be charged for each license issued.
- (c) **Bond prerequisite to issuance.** Before a license is granted, the applicant shall file with the town manager's office a surety bond in the amount of the estimated cost of repairs as estimated by the town engineer, but not less than twenty thousand dollars (\$20,000.00) conditioned substantially that the applicant shall indemnify and save harmless the town and all officers of the town from all suits and actions of every name and description brought against the town or any officer of the town, for any injuries or damages received or sustained by any person in consequence of, or resulting from, any work performed by such applicant, his/her servants or agents, or of, or from, any improper materials used in such work, or from any negligence in guarding such work, or of, or from any act or omission of such applicant, his/her servants or agents; that such applicant shall faithfully perform such work in all respects and shall replace and restore that portion of the street upon which such applicant, his/her servants or agents, shall do work, in accordance with the standards contained herein and any conditions required by the town manager or his/her designated agent. Such surety bond shall be written by an indemnity or surety company authorized to transact business in Connecticut and approved by the town manager or his/her agent; the town manager may request an increase in the bond amount if conditions so warrant.
- (d) **Insurance prerequisite to issuance and continued validity.** The contractor applying for a license required in this section shall furnish to the town a valid insurance certificate completed by his/her agent or insurer in the amounts described as follows: Liability, with bodily injury limits of five hundred thousand dollars (\$500,000.00) each accident. The town shall be named as an "additional insured" on the insurance certificate. The town manager may increase the limits and types of insurance if so warranted. The insurance shall cover the entire contract period as well as the maintenance period and in the event that the insurance expires during this time the contractor shall furnish the town a renewal certificate at least ten (10) days prior to its expiration of the license and any permits issued pursuant to it shall be null and void. The property damage insurance shall specifically cover damage due to underground pipes and conduits damaged while using mechanical equipment to excavate in the public street. In the event that a licensee shall fail to renew an insurance policy which expires during the maintenance period, the town manager or his/her designated agent may renew such policy after written notice to the licensee and to his/her surety company and upon their failure to furnish a renewal certificate, charge the cost thereof to the licensee.
- (e) **Transferability.** No contractor licensed pursuant to section 13-17 shall allow his/her name to be used by any other person or party for the purpose of obtaining or doing any work under his/her license.
- (f) **Revocation.** The town manager or his/her designated agent may at any time cancel or suspend any license required by section 13-17 for cause. In the event the liability insurance is cancelled, the license issued to the contractor shall automatically become suspended.
- (g) **Expiration.** All licenses required by section 13-17 shall expire on the thirty-first day of December next following their date of issue, unless sooner revoked, and a new license obtained before any work can be performed thereafter by the licensee.

⁵ Editor's note—An ordinance adopted April 13, 1993, amended § 13-17 to read as herein set out. Formerly, § 13-17 pertained to permit required for openings, alterations, etc. and derived from § II of an ordinance adopted Nov. 16, 1972.

Killingly Code of Ordinances

- (h) **Business address.** The applicant for a license required by section 13-17 shall file with the town manager's office his/her business address, and shall notify such office promptly of any change therein. Any orders or notices which the town manager's office or its authorized agent may have to give to such applicant, if mailed to their address filed, shall be considered as due notice delivered to him/her personally and shall relieve the town of further obligation in the matter.
- (i) **Employment of incompetent workers prohibited.** No contractor licensed pursuant to section 13-17 shall employ any person under his/her license who, in the opinion of the town manager or his/her designated agent, shall have shown himself or herself incompetent to perform such work as he/she is expected to do, after receiving notice from the manager or his/her agent of such an opinion.
- (j) **Permits.** Permits to perform any work within any street in the town must be obtained by a licensed contractor or his/her authorized agent from the town manager. Each permit shall be signed by the town manager or his/her authorized agent. No work shall be commenced or be continued unless the permit is posted by or in the possession of the permittee or his/her agent at the location of the work. A fee of fifty dollars (\$50.00) will be charged for each permit.
- (k) **Line and grade.** Before starting any work for which line and grade are required, the permittee shall mark line and grade. Should any stakes or marks be moved or lost, the permittee shall replace them prior to continuing the work. Any work which is not true to line and grade will be removed and replaced at the expense of the permittee.
- (l) **Protection of the public.** The permittee shall notify the town manager or his/her designated agent and the fire department at least twenty-four (24) hours before starting any work. No permit shall be issued unless the contractor has notified "Call Before You Dig" at 1-800-922-4455 seventy-two (72) hours before excavating. The contractor shall execute the work in such a manner as to interfere as little as possible with public travel; shall provide railings or suitable barricades to exclude persons and animals from trenches and obstructions. The contractor shall place and maintain such traffic control devices that are required to conform with the standards for work zone traffic control in the most current edition of the manual on uniform traffic control devices. If, in the opinion of the town manager or his/her designated agent, said traffic control devices are inadequate, the contractor shall supplement them as necessary.
- (m) **Correcting unsatisfactory work.** The town manager or his/her designated agent is empowered to inspect, or cause to have inspected, at any time any or all work being performed under a permit issued to work within the public rights-of-way. If, in the opinion of the inspector, the work being performed does not meet the specifications and conditions in connection with it, the permittee shall be required to correct such condition, commencing work within twenty-four (24) hours of notification to make such correction unless a longer period of time is granted by the town manager or his/her designated agent. In cases where an imminent danger exists to the public, in the opinion of the inspector, the permittee shall immediately correct the condition. If in the opinion of the inspector, the permittee cannot or does not correct a dangerous condition quickly enough or commence work to correct other conditions as set forth in this section, the town manager or his/her designated agent may cause such work to be done and the permittee shall be liable for the full expense of such work, such expense to be paid within thirty (30) days of billing. The town manager may refuse to issue future permits if such bills are not paid within thirty (30) days of billing.
- (n) **Permittee's period of responsibility (maintenance).** The town manager may order for cause corrections to any work performed pursuant to a permit granted under this section for a period of not less than twelve (12) months or more than twenty-four (24) months at the discretion of the town manager or his/her designee from the date of permanent pavement restoration.
- (o) **Exemptions.** The town manager or his/her designated agent may waive all requirements concerning licensing and insurance in the case of any governmental agency or public service company. Nothing herein contained, however, shall be deemed to waive the requirement of obtaining permits. None of the provisions of this section shall apply to the erection of temporary protective warning signs or devices. Nothing in this section shall be construed to prevent the making of any necessary excavation or the performance of any work related thereto by any public service company in the event of emergency. None of the provisions of this section shall apply to the grading, improvements and utilities, and services in connection with any approved subdivision plan; provided that, the sub-divider has filed with the town manager a surety company bond or cash bond or savings account assignment securing to the town actual construction and installation of such improvements and utilities as required in the subdivision and re-subdivision regulations of the town.

Killingly Code of Ordinances

Section 13-18 Trench and pavement restoration

- (a) **Pavement cuts.** Cuts in pavement will be made along straight, neat lines with a saw made for such purposes.
- (b) **Color-coded marking tape.** A color-coded marking tape shall be placed at least eighteen (18) inches and not greater than two and one-half (2½) feet below final grade above all underground utility installations except sewers and drains running in straight lines between surface catch basins, manholes, or posts identifying the underground installation. Tape shall be durable non-degradable plastic, not less than two (2) inches wide by four thousandths (0.004) inches thick and in the following colors for the particular underground utility:

Blue—Water
Green—Sewer

Orange—Telephone
Yellow—Gas

Red— Electric cable

- (c) **Backfill of trenches.** Backfill in trenches within the roadway limits and paved areas shall be placed in layers not more than twelve (12) inches thick and shall be thoroughly compacted by tamping or other approved means to the satisfaction of the town manager or his/her designated agent. The top six (6) inches of backfill shall be processed gravel as approved by the town manager or his/her designated agent; compaction tests may be required by the town manager or his/her designated agent. The materials used for backfilling of road sub base and processed gravel shall be subject to compaction testing, and inspection and approval of the town manager or his/her agent, and if, in his/her opinion, the excavated materials are unsuitable for backfill, the permittee shall be required to dispose of the unsuitable material and substitute approved gravel or other material in the amounts and proportions specified by the town manager.
- (d) **Temporary trench patch.** Upon completion of trench backfill and temporary pavement, the permittee will be required to maintain the temporary patch for at least a twelve-month period. During this period the permittee shall inspect the trench at such regular intervals as may be necessary to maintain the trench in satisfactory condition. The temporary patch shall be a minimum of one and one-half (1½) inch thick hot mix asphalt. Cold mix asphalt may only be used when hot mix is not available and upon approval of the town manager or his/her designated agent.
- (e) **Permanent trench patch.** At the end of the twelve-month to twenty-four month maintenance period, or as soon thereafter as weather conditions permit and hot mix is available, the permittee shall be required to replace the temporary pavement unless otherwise instructed by the town manager or his/her designated agent. For perpendicular cross trenches, a neat, straight saw cut shall be made at least ten (10) feet from the center line of the trench and for lateral trenches a neat straight saw cut shall be made at the center line of the roadway and the material removed to a depth of nine (9) inches. Six (6) inches of processed gravel shall be placed and thoroughly compacted upon which two (2) courses of hot mix asphalt each one and one-half (1½) inches thick (after compaction) shall be placed. Prior to paving the saw cut joint shall be painted with an acceptable tack coat material. After the final pavement has been placed and compacted, the joints will be sealed with a hot bituminous asphalt sealer approved by the town manager.
- (f) **Other restorations.** All other items damaged by the permittee shall be restored in accordance with the requirements of the town manager. These items include, but are not limited to, curbing, lawns, driveways, pavement markings, and signs. Pavement markings shall be replaced with like material. (Ord. of 4-13-93)

Section 13-19 Moratoria on street excavations⁶

- (a) **New streets.** No excavation shall be permitted in new or reconstructed streets for a period of five (5) years after the wearing surface is placed on such street. When, in the opinion of the town manager, it becomes necessary to excavate in such streets due to emergency or other reason, the entire width of the street within the limits of excavation shall be overlaid with one and one-half (1½) inches of hot mix asphalt. In addition the permittee shall comply with the other applicable requirements of section 13-18.
- (b) **Old streets.** No excavation shall be permitted in streets that have been overlaid with hot or cold mix asphalt, or treated with a seal coat for a period of two (2) years after such overlay or treatment. When, in the

⁶ Editor's note—An ordinance adopted April 13, 1993, amended § 13-19 to read as herein set out. Formerly, § 13-19 pertained to permits for work on existing roads and derived from § VII of an ordinance adopted Nov. 16, 1972.

opinion of the town manager, it becomes necessary to excavate in such streets due to emergency or other reason, the entire width of the street within the limits of excavation shall be resurfaced with a like treatment or other process satisfactory to the town manager. In addition the permittee shall comply with the other applicable requirements of section 13-18.

- (c) **Milling.** Where deemed necessary by the town manager, the permittee shall mill a minimum of one and one-half (1½) inches of pavement off of the street prior to paving if necessary to maintain an adequate cross slope and curb reveal. Milled areas will be tack coated with an acceptable material prior to paving.
- (d) **Notice of utility work.** It is incumbent upon utilities to keep the town manager apprised of planned permit activity so that the department of public works can coordinate its resurfacing schedule. (Ord. of 4-13-93)

Section 13-20 Plans

- (a) Whenever any street is proposed as required by the subdivision regulations of the town, the applicant/permittee shall present to the town manager the following plans as prepared by an engineer/surveyor:
 - (1) Two (2) certified copies of the street layout plan.
 - (2) A road profile.
 - (3) A plan or plans showing proposed utility locations, test pit data, grading, paving, curbs and drainage areas including storm drainage structures and specifications.
 - (4) An application for a street permit on forms provided by the town manager.
 - (5) In those instances where planning commission approval is required, the applicant/permittee shall certify on forms provided that such approval has been obtained prior to the town manager's issuance of a permit.
- (b) Building permits shall not be issued prior to issuance of a street permit by the town manager. (Ord. of 11-16-72, § III)

Section 13-21 Bonds

- (a) **Streets and improvements.** Prior to the issuance of a permit the town may require the applicant/permittee to provide a road surety to cover all construction costs as determined by the town.
- (b) **Maintenance bond.** Prior to the acceptance of such street by the town, the applicant/permittee shall provide a maintenance surety or bond which guarantees for a period of one year to indemnify the town against defective materials and/or workmanship the improvements installed as required in such permit. Such surety shall be in the amount of five (5) per cent of the road construction costs. Such surety shall be released by the town after one year if any defects arising from such improvements have been corrected. (Ord. of 11-16-72, § IV; Ord. of 1-13-75)

Section 13-22 Required improvements; specifications

- (a) **General.** In addition to compliance with the subdivision regulations of the town which are hereby incorporated by reference, other improvements shall be required as follows:
- (b) **Street widths.** Street widths shall be as follows:
 - (1) *Primary.* The roadway of this design street shall be forty (40) feet minimum.
 - (2) *Secondary.* The roadway of this design street shall be thirty (30) feet minimum.
- (c) **Drainage.** Drainage shall conform to the following:
 - (1) All areas behind curbs shall be so constructed so that control of surface water is maintained.
 - (2) Catch basins and pipe of a minimum diameter of fifteen (15) inches shall be installed at all intersection corners, and catch basins constructed upon streets shall be at locations as designated by the town manager.
 - (3) All catch basins shall be connected in such manner to cause a continuous flow of controlled surface and subsurface water to an ultimate destination of natural flow, pond, brook or river.
 - (4) All drainage pipes shall be either high-density polyethylene/polypropylene, reinforced concrete or asphalt-coated corrugated metal, as approved by the Town Engineer. All pipe will be bedded and backfilled to meet engineering and industry standards.
 - (5) Depth of storm sewer pipe is to be determined by the town manager.
- (d) **Utilities.** All utilities shall be in place before final grading and compacting of street.

Killingly Code of Ordinances

- (e) **Paving.** All streets shall be paved to full roadway width with bituminous concrete and in accordance with the following:
 - (1) Prior to placement of bituminous concrete the underlying base course shall be brought to the planned proper grade and cross section and compacted with a minimum eight (8) ton wheel roller.
 - (2) The paving course shall then be applied in accordance with State Highway Department Specifications Class 2 material, and shall consist of a thickness of two (2) inches after compaction with an eight (8) ton roller.
- (f) **Curbing.** Curbing shall conform to the following:
 - (1) Bituminous concrete or equivalent curbing shall be installed where determined by the town. When curbing is required, the applicant/permittee shall show those areas on the final road drawings prior to town issuance of any permit.
 - (2) Such curbing is to be installed in conformance with the Standard Connecticut Highway Department specifications.
- (g) **Material specifications.** Unless otherwise stated, all methods and materials shall be in accordance with "State of Connecticut, State Highway Department, Standard Specifications for Roads, Bridges and Incidental Construction", 1969 edition, as amended.
- (h) **Driveway entrance.** Concrete berm-type driveway entrances shall be installed by the applicant/permittee for each developable lot or dwelling unit as determined by the town. The location of such driveway entrance shall be as determined by the town. (Ord. of 11-16-72, § V; Ord. of 12-12-74, §§ A—D)

Section 13.23 Inspection and notification

- (a) The applicant/permittee agrees to notify the town manager at least twenty-four (24) hours in advance of each phase of the work.
- (b) All written instructions and/or orders of the town manager shall be complied with.
- (c) The town manager shall have a right of inspection of and access to all phases of the work. (Ord. of 11-16-72, § VI)

Section 13.24 Acceptance of streets

- (a) Upon certification by the planning commission and town manager that the conditions of this article and other street regulations of the town have been complied with, the town council shall accept the street into the town street system.
- (b) Acceptance of streets shall be by resolution and shall be noted upon the permanent records of the town. (Ord. of 11-16-72, § IX)

Section 13.25 Enforcement and penalties

Sections 13-16 through 13-24 of the Code of Ordinances shall be enforced pursuant to the provisions of Section 1-9 and 1-10 of the Killingly Code of Ordinances relative to general penalties and citations for violations of ordinances, and all violations of this ordinance shall, in addition to any penalties set forth herein, be subject to the provisions of Section 1-9 and 1-10 for violations of citations.

Sections 13-26 - 13.60 Reserved

ARTICLE III. USE OF PARKS AND PUBLIC PLACES^{7 8}

Section 13-61 Intent

The Town of Killingly is fortunate to possess within its boundaries a spacious system of open space, park land and public improvement which has been dedicated to the use and enjoyment of the citizens of Killingly. Residents are encouraged to utilize these facilities and by doing so many participate in a wide variety of both active and passive activities. The town wishes to ensure that all public places and parks are used in the most

⁷ Editor's note—Inclusion of §§ 1, 3—7, of a nonamendatory ordinance adopted March 10, 1987, effective April 1, 1987, as Art. III, §§ 13-61—13-66, was at the editor's discretion.

⁸ Cross reference —Deposit of unauthorized material upon public property, § 8-1; outdoor events, § 11-18 et seq.; hours of operation for peddlers, § 12-9; vendors on town property, § 12-21 et seq.; inland wetlands and water courses regulations, App. A.



TOWN OF KILLINGLY

EXCAVATION PERMIT

PERMIT FEE: \$50.00

PERMIT NO. _____ **CODE** _____

NAME OF APPLICANT _____ Phone # _____

STREET ADDRESS _____ Cell # _____

TOWN _____ ST _____ ZIP _____

EMAIL ADDRESS: _____

EXCAVATION REASON: _____

EXCAVATION LOCATION: Street Name _____

Length of Trench _____ Depth of Trench _____ Nearest Utility Pole # _____

TOWN REQUIREMENT: (also see Ordinance for Street Construction and Alterations Standards Ordinance.)

MINIMUM AMOUNT OF SURETY: (\$20,000.00) _____ Additional amount: _____

CONDITIONS OF ISSUANCE:

The contractor agrees to carry adequate workmen's compensation, contractor's liability, and automotive insurance during the course of the work covered by this permit.

Upon affixing signature to this application, the applicant agrees, as a condition governing the issuance of permit, that the Town of Killingly, the Town Manager, his/her agent and designees be held harmless from any and all claims and actions whatsoever arising from the exercising of said permit.

The undersigned (Applicant) agrees to comply with all *Town Requirements listed above and Ordinances that are attached*. *The Applicant understands that all work shall be completed before releasing any bond required and that the Town may hold said bond for a one year guarantee period.*

☐ CBYD# _____ ***CALL BEFORE YOU DIG 1-800-922-4455**

☐ Utility obtaining Permits: CBYD #s to be obtained by subcontractors as appropriate as work proceeds.

☐ Large Project: Permit process will take more than 30 days.

The Engineering Dept. MUST be notified a minimum of 24 hours prior to commencement of work at 860-779-5360

_____/____/____
Signature of Issuing Official Date

_____/____/____
Signature of Owner or Applicant Date

Completion Date: _____

Inspected By: _____

OFFICE
USE ONLY

DATE PD _____

AMT PD _____

CHECK # _____ CASH ☐