

Chapter 93 -- Excavations

93.010. Notification and permission required. No person shall remove, excavate, tear up, or otherwise destroy or damage any pavement, sidewalk, bridge, or culvert in or upon any public street, roadway, thoroughfare, or alley of the City of Holts Summit without prior notification to and permission by the of the City.

93.020. Resurfacing. Any person who shall excavate in the paved portion of any public street, roadway, alley, or sidewalk shall obtain the prior approval of the *City Maintenance Superintendent* that the backfill meets the requirements of the City and shall then resurface such excavation in a manner and with such materials similar to those that were removed. Such resurfacing shall be subject to the inspection and approval of the *City Maintenance Superintendent*. Such resurfacing may be performed by the excavator or his contractor, and if not so performed, such resurfacing may be performed by the City at the cost of the excavator.

93.025. Utility Line Depth and Casings. All utility companies, except water or gas utilities, offering service within the corporate boundaries of the City of Holts Summit shall place their utility lines within casings where such lines run beneath city streets, whenever such lines are initially placed or replaced. Such casing shall be placed at least two (2) feet beneath the surface of the street. Such casing shall be constructed of Schedule 40 PVC pipe and shall be of sufficient diameter that in the future such utility lines can be repaired or replaced without the need for any excavation within a paved portion of a city street, and, at minimum, shall be at least two (2) inches in diameter.

(New: Ord. 553. Revised: Ord. 600)

93.030. Removal of excavated materials. Any person who shall excavate in the paved portion of any public street, roadway, alley, or sidewalk pursuant to a permit obtained from the *City Maintenance Superintendent* shall remove all materials excavated and shall dispose of the same.

93.040. Bond required. Any person who shall excavate in the paved portion of any public street, roadway, alley, or sidewalk shall be required to post a bond with the *City Maintenance Superintendent* in an amount determined by the *City Maintenance Superintendent* to be sufficient to protect the City of Holts Summit, Missouri, from any damages which might occur to said public street, roadway, alley, or sidewalk prior to obtaining approval for any such excavation. In the case of public utilities, such as providers of gas, electric, telephone, or cable television service, such bond shall not be posted prior to obtaining approval for each individual excavation, but instead such bond shall be posted annually, and maintained at all times throughout the year, in the amount of \$10,000. Said bond, whether for an individual excavation or an annual

bond, shall be paid in cash or in lieu thereof in the form of a cashier's check, money order, performance bond, or other similar surety. In addition to the general penalties for ordinance violations as established in Chapter 13 herein, in the event that the person posting such bond fails to comply fully with city ordinance requirements with respect to such excavation within seven (7) days of written receipt of notice of noncompliance, then such bond shall be forfeited to the City of Holts Summit, Missouri.

(Revised: Ord. 545)