

**CITY OF HOMER
HOMER, ALASKA**

ORDINANCE 87-7(s)

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF HOMER AMENDING TITLE 13, STANDARD CONSTRUCTION PRACTICES, REPEALING AND REENACTING CHAPTER 13.08 PLANS, PERMITS AND INSPECTIONS.

WHEREAS, review of the road construction ordinances by the Road Standards Committee revealed technical problems which needed to be corrected in the Homer Municipal Code, and

WHEREAS, the Committee determined that it was necessary to extend validity to the permit requirements of issuance, use and enforcement of the construction within rights-of-way permit form;

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Chapter 13.08, Plans, Permits and Inspections is repealed in its' entirety and reenacted, as follows:

13.04.450 Water connection. "Water connection" means the connection of an individual private water service line from the abutting property to the water main line. (Ord. 85-25 Div. 5(rr), 1985).

13.04.460 Water extension. "Water extension" means that part of the water distribution system extending from the water connection into the premises service (Ord. 85-25 Div. 5(ss), 1985).

13.04.480 Water, potable. "Potable water" means water from any source which has been investigated by the Alaska Department of Environmental Conservation and which has been approved for human consumption. (Ord. 85-25 Div. 5(uu), 1985).

13.04.490 Water service. "Water service" means the conduit, all its fittings and attached parts which function to provide a means of transferring water from a main to a consumer. (Ord. 85-25 Div. 5(vv), 1985).

Chapter 13.08

PLANS, PERMITS AND INSPECTIONS *

Sections:

- 13.08.010 Applicability.
- 13.08.020 Design approval.
- 13.08.030 Traffic-control plan.
- 13.08.040 Inspection and correction authority.
- 13.08.045 City Public Works Department crew call-out charge.
- 13.08.050 One-year warranty.
- 13.08.060 As-built plans, records and test data.
- 13.08.070 Post-warranty maintenance.
- 13.08.080 Exception approval.
- 13.08.090 State right-of-way work.
- 13.08.100 Permits on site.
- 13.08.110 Bond or cash deposit--Insurance.
- 13.08.120 Inspection notice.
- 13.08.130 Right-of-way restoration.
- 13.08.140 Damage to city utilities.
- 13.08.150 Supply of data to inspector.
- 13.08.160 Workmanship--Unspecified processes and materials.
- 13.08.170 Violation--Penalty

* Prior ordinance history: Ordinance 85-25 and 85-25A

13.08.010 Applicability. This standard specification covers the requirements, materials and standard practices to be followed in the construction of utilities, driveway and roadside drainage projects within the public rights-of-way (R.O.W.). (Ord. 85-25 Art. 10.1.1, 1985).

a. Any person proposing work in the right-of-way or connecting to a City utility shall obtain a permit from the City of each individual project. Permits are available at City Hall Planning Department.

b. A permit fee for each permit shall be paid upon issuance of the particular permit. Fees are \$5.00 for issuance of a permit only and \$25.00 for a permit where plans or plans and specifications are required.

13.08.020 Design approval. The City may require that the project design, plans and specifications be engineered and be subject to the approval of the Public Works Director. This provision is primarily applicable to, but not limited to, main lines, storm drains, streets, roads, sidewalks and commercial projects. (Ord. 85-25 Art. 10.1.2(a), 1985).

13.08.030 Traffic control plan. The Public Works Engineer may require that a traffic control plan be submitted for review and approval. Upon approval, the plan must be adhered to during construction. (Ord. 85-25 Art. 10.1.2(b), 1985).

13.08.040 Inspection and correction authority. The City has the right to inspect all projects to determine compliance with City standards, specifications and ordinances. The City has the right to reject materials or workmanship not in compliance with City standard specifications or ordinances and to stop work until corrections are made. If corrections are not made in a timely manner, the City shall take necessary corrective action. All expenses incurred by the City shall be chargeable to the Contractor. (Ord. 85-25 Art. 10.1.2(c), 1985).

13.08.045 City Public Works Department crew call-out charge. a. When necessitated pursuant to the provisions of this Chapter, the contractor shall agree to pay to the City the cost of services performed by the City Public Works Department work crew on behalf of the contractor whether such work is requested by the contractor, Public Works Director, or his designee. The charge for such services shall be at such rates calculated to reimburse the City for its actual labor and material costs plus fifteen percent (15%) for administrative costs. In addition, the contractor agrees to reimburse the City at pre-determined rates for the use of City equipment used by the City crew on the job.

b. However, the City crew shall not be called out on any project unless an emergency situation arises which, in the

opinion of the Public Works Director, or his designee, determines to be a threat to the public health and safety. In addition, the City crew shall be called out under such circumstances only after the City through the Public Works Director or his designee, has made every reasonable effort to reach the contractor responsible for the project. The contractor may set forth the telephone numbers or other means of communication on his individual permit in the event such an emergency situation arises.

138.08.050 One-year warranty. a. The contractor shall be responsible for any damage which occurs to the public rights-of-way or his installation due to his work for a period of one year after the specific project has been completed and approved by the City.

b. Damages to the right-of-way not repaired by the contractor after written notification by the City, within a time period set by the City, will be repaired by the City of Homer at the contractor's expense. Failure to pay such cost incurred may result in suspension of permits and refusal to issue any permits until the cost of repair has been made.

c. The contractor shall be responsible for any damages caused to City utilities by his installation of work. (Ord. 85-25 Art. 10.1.2(d, e, f), 1985).

13.08.060 As-built plans, records and test data. No work will be accepted without copies of the required as-built plans, records and test data. (Ord. 85-25 Art. 10.1.2(g), 1985).

13.08.070 Post-warranty maintenance. After the one-year warranty, the City of Homer will be responsible for the maintenance of all service lines within the public rights-of-way. The cost of maintenance shall be borne by the City unless the reason for the repair is the fault of the consumer. If such maintenance is caused by the consumer due to negligence or abuse, the consumer will be responsible for the cost of such repairs as are necessary. (Ord. 85-25 Art. 10.1.2(h), 1985).

13.08.080 Exception approval. Any exception to this specification or conflict between this specification and any approved project design, plans or specification shall be governed by the Public Works Director or his designee. (Ord. 85-25 Art. 10.1.2(i), 1985).

13.08.090 State right-of-way work. All work in State rights-of-way shall require a State permit. Permit shall be applied for through the City of Homer. The City shall inspect the work involved the same as in the City rights-of-way. In addition to following City ordinances and standard

specifications, all State requirements must be met. In the event of a conflict between City ordinances, standards and State requirements, the City Inspector shall be the final authority. (Ord. 85-25 Art. 10.1.2(j), 1985).

13.08.100 Permits on site. A copy of applicable permit(s) must be on the construction site. If not, the City reserves the right to close down the work until such times as the permit is present. (Ord. 85-25 Art. 10.1.3(a), 1985).

13.08.110 Bond or cash deposit--Insurance. a. Any person proposing to perform work under this section shall be a State of Alaska licensed general contractor and shall provide a copy of his current State registration when applying for a Work In The Right-Of-Way Permit.

b. In accordance with the permit process for construction within rights-of-way the contractor shall be bonded and insured for liability. A one-thousand-dollar bond or cash deposit with proof of liability insurance shall be posted with the City of Homer Finance Department. The contractor will also be required to prequalify on the basis that he has or can demonstrate the ability, capacity and skill to perform the work as specified by reputation and experience, and prior permit performance.

c. To obtain the information specified in subsection a of this section, the City may require a contractor to complete a confidential qualifying questionnaire or provide a list of references. (Ord. 85-25 Art. 10.1.3(b), 1985).

13.08.120 Twenty-four hours' notice. a. Inspection noticey. The contractor shall give the public works inspector (one working day's) notice of a requirement for inspection. (Ord. 85-25 Art. 10.1.3(c), 1985).

b. The contractor shall give twenty-four hours' notice to all utilities (including gas, telephone, electric, water, sewer and cable TV), of his intention to excavate in the area proposed. All existing utility lines or pipes must be staked or clearly marked by the appropriate utility company prior to any excavation by the contractor.

13.08.130 Right-of-way restoration. The public right-of-way must be restored to its original condition before any work can be accepted. (Ord 85-25 Art. 10.1.3(d), 1985).

a. All work under this section shall be in accordance with the provisions contained in Chapter 11.04, Sections 11.04.140(e) and (f).

13.08.140 Damage to City utilities. Damage to the City utilities must be repaired immediately. Failure of the contractor to make immediate repairs will result in the City of

Homer making such repairs chargeable to the contractor. Failure to pay the cost incurred may result in suspension of the permits and refusal to issue any permits until the cost of repair has been made. (Ord. 85-25 Art. 10.1.3(e), 1985).

13.08.150 Supply of data to inspector. The contractor will supply the Public Works Inspector with all data required to facilitate as-built records. (Ord 85-25 Art. 10.1.3(f), 1985).

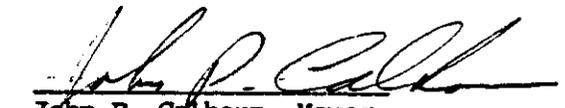
13.08.160 Workmanship--Unspecified processes and materials. Workmanship and all other materials and processes not specified in this title shall be in accordance with the current State approved Uniform Plumbing, Uniform Building and Uniform Safety Codes and all other City, State and Federal standards, specifications and laws. (Ord. 85-25 Art. 10.1.3(g), 1985).

13.08.170 Violation--Penalty. The violation of any provision contained in this Chapter shall be punished under the general penalty provisions, Section 1.16.010 of the City Code. (Ord. 78-18, Section 6, 1979).

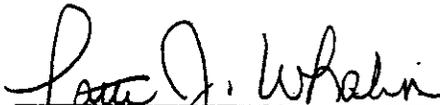
ORDINANCE 87-7(s)

DATED AT Homer, Alaska this 13 day of April, 1987.

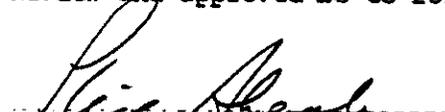
CITY OF HOMER


John P. Calhoun, Mayor

ATTEST:


Patti J. Whalin, City Clerk

Review and approved as to form and content:


Phil C. Shealy, City Manager


A. Robert Hahn, City Attorney

Date: 4/24/87

Date: 4-24-87

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