



# Town of Glenville – DPW

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**Thomas R. Coppola**

Superintendent of Highways/Commissioner of Public Works

**Jeffrey M. Gemmette**

Deputy Superintendent of Highways/Commissioner of Public Works

**DATE:**

**APPLICATION TO SECURE PERMIT FOR:**

**Name:**

**Address**

**Phone Number:**

**To cut the shoulder and/or pavement of:**

**For the purpose of:**

**FEES:**

**Shoulder cut:** \$150.00 (each) \_\_\_\_\_

**1/2 Road cut:** \$250.00 (2' wide) \_\_\_\_\_

\$350.00 (3' wide) \_\_\_\_\_

\$450.00 (4' wide) \_\_\_\_\_

**Full Road cut:** \$450.00 (2' wide) \_\_\_\_\_

\$650.00 (3' wide) \_\_\_\_\_

\$850.00 (4' wide) \_\_\_\_\_

**ADDITIONAL FEES:**

**To enter catch basin  
or storm sewer** \$150.00 (each) \_\_\_\_\_

*Before You Dig, Drill or Blast  
call U.F.P.O.  
1-800-962-7962  
We'll Notify All Participating Agencies*

\_\_\_\_\_  
Authorized signature

Application Only, Obtain permit:  
Town Clerk  
Glenville Town Hall  
18 Glenridge Rd.  
Glenville, NY 12302

All fees are non-refundable

## § 238-17. Shoulder and road cuts.

### [Amended 6-16-1999]

- A. Permit required.
- (1) Before any individual, person or persons, corporation or company shall make any excavation in or under any public right-of-way or public place within the Town of Glenville or initiates the repair or replacement of any right-of-way, an application shall be made to the Town Superintendent of Highways, stating the exact location of the proposed excavation.
  - (2) Accompanying said application shall be an application fee for a permit to perform excavations or disturbances within the Town's right-of-way and any such other information that the Town may require.
  - (3) This chapter and the fees set forth herein shall also apply to public utilities. In addition to the fee, a utility's application shall be accompanied by such maps and plans as may be required by the Town Superintendent of Highways.
  - (4) No excavation, as aforementioned, shall be made until a written permit has been issued by the Town Superintendent of Highways and the fee paid to the Town Clerk.
  - (5) Application for a permit shall be made in writing and shall be made to the Town Superintendent of Highways in a form required by the Town Board. After the permit has been issued and prior to any excavation, it shall be the applicant's responsibility to inform and receive approval from the Town Commissioner of Public Works or designee.  
*Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*
  - (6) Permits issued under this section shall be for a period not to exceed 10 days from the date of issuance of the permit, unless further extension is endorsed thereon by the Town Superintendent of Highways.
  - (7) No permits for pavement cuts will be made after November 15.
  - (8) New pavements which are cut by trenches or built upon fill will not be accepted by the Town of Glenville until the calendar year following the year in which such pavements have been built.
- B. Fees. The Town Board of the Town of Glenville may, by resolution, establish a schedule of fees to be charged for road cuts in Town highways. Said schedule shall include but not be limited to fees for shoulder cuts, 1/2 road cuts, full road cuts and for similar cuts in varying widths. *Editor's Note: See Ch. 139, Fees. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*
- C. Excavation requirements.
- (1) All excavation in paved areas shall be kept to a minimum. Only 1/2 of a paved roadway, right-of-way or public place shall be cut open at any open time.
  - (2) The applicant shall at all times take every precaution to see that safeguards, barriers and lights are placed around said excavation to give ample notice and warning. "Road Closed" signs and "Detour" signs shall be posted, if applicable.
  - (3) The surface of said right-of-way or public place shall be restored to as good a condition as prior to said excavation and to the approval of the Town Superintendent of Highways.
  - (4) The washing of lines under any highway or street is strictly prohibited.
  - (5) All earth from the excavation, rubbish and unused materials shall be immediately removed after the installation of the pipe or utility. After laying the pipe or utility in said ditch or excavation, the applicant shall immediately backfill with materials as stipulated by the Town Superintendent of Highways. The backfill is to be placed in layers of not more than six inches in thickness, and each layer is to be compacted to 95% of its maximum proctor density within five feet of the pavement edge. All other disturbed areas shall be compacted to the same density as the adjoining existing ground. After the backfill has been completed, it is to be kept flush with the pavement or existing roadway or street until such time as the permanent pavement of said right-of-way is replaced by the Town of Glenville Highway Department. The Superintendent of Highways shall replace the wearing surface of the right-of-way or public place, be it a gravel surface, a penetration surface or an asphalt surface as per the State Highway Law.
- D. Liability. The party to whom the permit is granted, in consideration of the granting thereof, shall save the Town of Glenville, the Town Superintendent of Highways and any and all Town officials and employees harmless of and from any and all claims, actions and judgments of any kind whatsoever that may arise from any cause whatsoever due to the execution of the work allowed under the permit, either during its progress or subsequent thereto, for any damages suffered by any claimant either to person or property by reason of such excavation and work.
- E. Examination and restoration by Town.
- (1) Reimbursement for cost of restoration by Town of roadway after work is completed. As provided herein, the applicant, at the time of the application, must pay to the Town Clerk the application fee for the type of permit for which it is applying. This application fee shall cover all of the expenses to the Town of Glenville for the examination of the area to be excavated, inspection by the Town Superintendent of Highways and for repavement by the Town of the wearing surface of the right-of-way or public place where the work was performed.
  - (2) Failure to complete work or to properly perform in accordance with permit. In the event that the applicant shall fail to complete the work started or in the event that the applicant should fail to restore the surface of said right-of-way or public place to as near the condition as it was prior to said excavation (wearing surface excluded), the Town Superintendent of Highways shall immediately fill in said excavation and shall do whatever is necessary, in his or her opinion, to properly restore the surface of said right-of-way or public place to as near a condition as it was prior to said excavation; and, after the same has been completed, the Town Superintendent of Highways shall determine the cost of said restoration to the Town and, should the cost to the Town be more than the application fee, the applicant shall be liable for the difference.
- F. Catch basins and storm sewer lines. The walls of catch basins and storm sewer lines shall not be cut without a permit therefor being obtained from the Superintendent of Highways. The application for said permit shall be on a form similar to that used for a highway cut and shall be accompanied by an additional fee as set from time to time by resolution of the Town Board *Editor's Note: See Ch. 139, Fees.* for each additional cut requested. There shall be no right to perform such work (cut into a catch basin or storm sewer) without the approval of the Superintendent of Highways. *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*
- G. Penalties for offenses. Any person committing an offense against any provision of this section shall, upon conviction thereof, be guilty of a violation pursuant to the Penal Law of the State of New York, punishable by a fine not exceeding \$500 or by imprisonment for a term not exceeding 15 days, or both such fine and imprisonment. The continuation of an offense against the provisions of this section shall constitute, for each day the offense is continued, a separate and distinct offense.