

## Chapter 62.05

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#### **62.05.010 Permit required.**

No person, firm or corporation shall excavate under or on or otherwise disturb the surface or subsurface of any public street, alley, sidewalk, easement or right-of-way within the corporate limits of the City and Borough unless such person, firm or corporation is registered and bonded in accordance with the provisions of AS 08.18 and possesses a valid excavation permit issued by the engineering department, which permit has been approved by the chief of police and the fire chief of the area in which the excavation is to occur. A permit is required whether the public street, alley, sidewalk, easement or right-of-way has been accepted by the City and Borough for maintenance or not. The permit shall be effective only for the period stated in the permit, but an extension may be granted upon the approval of the engineering department and the chief of police and fire chief concerned. Where necessary, additional inspection fees may be required before issuance of the extension. (CBJ Code 1970, § 62.05.010; Serial No. 71-47, § 3, 1971)

#### **62.05.012 Plans required.**

Each application for an excavation permit shall be accompanied by plans and specifications showing the location of right-of-way lines, property boundaries, proposed improvements, drainage conditions and provisions, method of construction and such additional information as may be required by the department to ensure that the project will comply with City and Borough requirements. The department may require endorsement by a licensed engineer or surveyor depending on the magnitude of the proposed work and the site conditions. (Serial No. 92-09, § 4, 1992)

#### **62.05.015 Restrictions.**

No permit shall be issued for work to be performed between November 1 and March 15 of each year unless the applicant has first made a clear showing to the manager that restoration can be completed within 30 days or that an emergency exists which requires work for which a permit under this chapter is required. (Serial No. 78-8, § 2, 1978)

#### **62.05.020 Bond.**

Any person, firm or corporation applying for an excavation permit shall post a bond, certified check or

cash in the minimum amount of \$200.00 with the municipal clerk, provided, however, the director of engineering or the manager has the authority to increase the amount of the bond when, in the director's or the manager's opinion, the cost of replacement of the excavation and surface improvements would exceed \$200.00. Upon satisfactory completion of the excavation, replacement of surface improvements, and submittal of an as-built plan when required, the bond, check or cash will be returned to the applicant.  
(CBJ Code 1970, § 62.05.020; Serial No. 71-47, § 3, 1971; Serial No. 90-40, § 2, 1990)

#### **62.05.030 Fees.**

An application fee of \$10.00 shall be paid to the City and Borough upon applying for the excavation permit. The engineering department shall determine the inspection fee required as shown on the inspection fee schedule established by the engineering department and approved by the manager. The inspection fee shall be paid to the City and Borough before the permit is issued.  
(CBJ Code 1970, § 62.05.030; Serial No. 71-47, § 3, 1971; Serial No. 90-40, § 2, 1990)

#### **62.05.040 Conditions of permit.**

The director of engineering or the manager may place on the permit any restrictions or conditions deemed necessary to protect the public interest or to ensure proper performance by the permit holder.  
(CBJ Code 1970, § 62.05.040; Serial No. 71-47, § 3, 1971; Serial No. 90-40, § 2, 1990)

#### **62.05.050 Repair and replacement.**

Excavation may not exceed the place or area described in the permit. Backfilling, replacement and repair shall all be done in the manner and to the standards prescribed by the engineering department.  
(CBJ Code 1970, § 62.05.050; Serial No. 71-47, § 3, 1971)

#### **62.05.060 Revocation of permit.**

Any permit granted under chapter may be revoked by the City and Borough engineer for noncompliance with any of the provisions of this Code or the conditions of the permit. Upon revocation of the permit, the City and Borough may proceed with replacement and repair of the excavation and may charge all costs of such work against the security posted under section 62.05.020.  
(CBJ Code 1970, § 62.05.060; Serial No. 71-47, § 3, 1971)

#### **62.05.070 Marking and barricading.**

The contractor shall adequately mark, barricade and otherwise warn the public of the excavation and protect the public from the hazards created. The engineering department may specify minimum barricading and lighting requirements.  
(CBJ Code 1970, § 62.05.070; Serial No. 71-47, § 3, 1971)

#### **62.05.080 Other permits required.**

The issuance of an excavation permit does not in any way vitiate the requirement to obtain any other permit required by the City and Borough or state or federal laws and regulations. If the excavation is to take

place in a public way over which the state exercises authority, the excavation permit shall not issue until the applicant has obtained permission from the proper state agencies to perform the proposed work in such public way.

(CBJ Code 1970, § 62.05.080; Serial No. 71-47, § 3, 1971)