

SPECIFICATIONS, AND APPLICATION FOR STREETS AND SIDEWALK OPENINGS



City of Albany
DEPARTMENT of GENERAL SERVICES

One Conners Boulevard
Albany, NY 12204
www.albanyny.gov
UPDATED AUGUST 2023

City of Albany

Department of General Services
Sidewalk-Road Opening Permit Application

Telephone-518-427-7480
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www.albanyny.gov/637/General-Services

INSTRUCTION TO APPLICANT

The following document contains the following information relating to work within the City of Albany public Right of way (R.O.W.):

Permit and Application Checklist	Page 2
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Applicants' must plan for adequate time for review and approval by the City of Albany Department of General Services, and any other involved agencies. Generally the greater the scope of work, the longer the permit review and approval process will take. It is important that all applicants read and understand the provisions of the attached information and comply with these requirements. A telephone call to the Department of General Services well in advance of any scheduled work can provide early guidance.

Individuals with questions about permit requirements of the application process may contact the Department of General Services Monday through Friday between 8:00 Am and 3:00 Pm as follows:

Gary Bohl
Department of General Services
One Conners Boulevard
Albany New York 12204-2514

Email- gbohl@albanyny.gov
Telephone 518-427-7480

Utility Opening Ordinance Section 23.81 Insurance

§ 323-69 Insurance.

Before a permit is granted, the applicant shall provide a certificate of insurance of a duly authorized insurance company, in the sum of \$1,000,000 designating the City as a named insured and evincing coverage to indemnify and save harmless the City of Albany from all loss, damage, cost and liability whatever which the City may sustain or incur by reason of any accident, act or omission of the person to whom such permit is granted or any person employed by him while engaged in such employment and performing any of the work done under or pursuant to such permits.

The applicants shall also provide proof of coverage for compensation and disability insurance.

Streets and Sidewalk Opening Permit Application Checklist

The following checklist has been made available to ensure that the permits are submitted to the Department of General Services are reviewed in a timely matter. Please make sure that that the items on the checklist have been completed. Furthermore, refer to the "Sample Drawing" enclosed.

If the application or sketch that is being submitted does not have enough information, or incomplete information the application will be rejected.

Permit Application

- ☐ Location of work
- ☐ Purpose of work
- ☐ Applicant and contractor name and address
- ☐ Proposed dimension of opening(s)

Street- (Trench Width + 3 feet) X length= *Disturbance Square Footage*

Sidewalk- Number & Size of Panels= *Disturbance Square Footage*
i.e. (2) 5'x5' panels = 50 Sq. Feet of disturbance

PARTIAL PANEL RESTORATION IS NOT PERMITTED

- ☐ Date and Length of time of the openings (s)
- ☐ Signature

Street and Sidewalk Opening Sketch

- ☐ Location (Street address) of opening(s)
- ☐ Location of Disturbance(s)
- ☐ Dimension referencing location of disturbance(s)
- ☐ Describe the type of work (diameter, material, length) of line
- ☐ Show nearest intersecting streets
- ☐ Show location of site fixtures
(Utility Pole, hydrants, manholes, valves, overhead utilities, underground Utilities, buildings, driveways, curbs, sidewalks, etc.)
- ☐ Show restoration details

[Email to DGSPermits@albanyny.gov](mailto:DGSPermits@albanyny.gov)

Please be aware that work shall not be started until the permit has been approved and issued!

NEW: Promulgated July 2021

- Application fee \$100.00
- 10% Bond required for any application that surpasses \$2500.00
- Application includes disturbance within a public right of way
- § 323-70. Street excavation, Jacking, boring, or tunneling
- § 323-71. Backfill
- § 323-72 Pavement Repairs
- Penalties for offenses.
- Emergency Pavement Openings

**THIS IS FOR ILLUSTRATIVE PURPOSES ONLY TO SEE A
FULL UPDATED VERSION OF THE ORDINANCE GO TO
<https://ecode360.com/AL0934>**

Chapter 323. Streets and Sidewalks
Article III. Pavement Openings

§ 323-66. Permits required; fee, transferability.

- A. No person, other than a duly authorized City officer or employee, shall make any openings or remove any pavements or sidewalks in any street, avenue, alley, curb or public place in the City of Albany without a permit from the Commissioner of the Department of General Services or his designee.
- B. The fee for a permit **(\$100.00)** shall be promulgated by the commissioner of the Department of General Services. The fee for the opening shall be \$5 per square foot.
- C. Permits issued hereunder shall not be transferable.

Any application that exceed \$2500.00 in opening fees may require a 10% bond to be placed with department, which upon completion and inspection the department may reimburse or use to correct dangerous conditions that may exist

§ 323-67. Public notification of street closing.

- A. Whenever a street, disturbance within a public right of way or a portion of a street is to be closed to traffic or parking is to be prohibited for eight or more hours on one day or over a period of several days, the Commissioner may require, as a condition of the issuance of a permit under § 323-66, a program of public notification which may include the following:
1. Direct contact with residents on affected street through circular or leaflet.
 2. The publication of a display advertisement in at least one local newspaper of general circulation.
 3. Signage at the work site.
- B. Notification should include expected date and time of commencement and completion of work, hours that the street shall be closed to traffic, the date and times temporary parking restrictions will be in effect and the availability of alternate routes, if applicable.

§ 323-68. Application for permits.

Application for a permit shall be made to the Commissioner of the Department of General Services or his designee on provided forms, which shall describe the location, number, purpose and size of the openings to be made, the kind of pavement or sidewalk to be removed, the time when such openings are desired and the length of time the openings will remain open, together with such other information regarding

the work as the Commissioner of the Department of General Services or his designee may require.

§ 323-69 Insurance.

Before a permit is granted, the applicant shall provide a certificate of insurance of a duly authorized insurance company, in the sum of \$1,000,000 designating the City as a named insured and evincing coverage to indemnify and save harmless the City of Albany from all loss, damage, cost and liability whatever which the City may sustain or incur by reason of any accident, act or omission of the person to whom such permit is granted or any person employed by him while engaged in such employment and performing any of the work done under or pursuant to such permits.

The applicants shall also provide proof of coverage for compensation and disability insurance.

§ 323-70. Replacement of existing payment.

In order to preserve and protect the historic and aesthetic integrity of the City's infrastructure, the permittee will replace any excavated road or sidewalk area with the same paving materials removed, and special emphasis shall be given to the replacement of granite block or bricks.

A. Street excavation

1. The removal and replacement of portions of existing concrete pavement, drives, slabs, sidewalks, etc., shall require breakout grooves to be sawed by the use of an approved power driven concrete saw in accordance with this specification and details shown on the plans or as directed by Commissioner of the Department of General Services or his designee. Locations shown on the plans are indicative only of the need for grooves, and where designated locations coincide with or fall within three (3) feet of the present location of either dummy joints, construction joints, or expansion joints, breakout shall be to existing joints; in this case, there will be no necessity for cutting additional grooves. Sawed breakout grooves shall be cut perpendicular to the surface of the pavement and shall be sawed full-depth to form a neat breakout line in the concrete pavement when the pavement is removed. The use of breakout grooves sawed to a minimum depth of one and one-half (1.5) inches will be allowed in the alternative to full depth only upon the approval of the Commissioner of the Department of General Services or his designee. Removal and replacement of sidewalks shall be to the nearest existing joint not damaged by the construction. Street and alley pavement removals shall have no horizontal dimension less than three (3) feet and in concrete pavements shall not leave any existing portion of pavement in place less

than three (3) feet as measured to the nearest joint or edge of pavement except that for curb and gutter, a gutter of at least 12 inches may remain, provided that the curb and gutter is not damaged by the construction activity.

2. Excavation in city street or alley pavements should begin with an air-hammer shovel, a pavement breaker, or other equipment that will not damage the pavement outside an approximate width of the ditch prior to beginning trenching operations. If the excavation is to pass under an existing curb in which there is no dummy/expansion joint, the utility/contractor may saw cut a smooth line one (1) foot beyond each side of the disturbed base. If no damage to curb is evident to the Department of General Services, the utility/contractor may pump concrete under curb and gutter for cuts less than one (1) foot wide. The Department of General Services, prior to concrete being placed under existing curb and gutter, will make this determination.
3. The following additional requirements shall govern installation:
 - a) No portion of pipe, conduit, line or other conveyance of utility service shall be placed less than 12 inches below the bottom of the existing pavement base or subgrade. All lines, pipes, conduits, etc. shall be marked with standard marker tape.
 - b) All excavations shall be backfilled with acceptable materials in the required lifts and to the required densities provided in the backfill operations section of this application.
 - c) All subgrades and pavements excavated or damaged by the repair activity shall be restored as provided in the pavement repairs and restoration details sections of this application.
 - d) The responsible person shall provide a landscape protection plan during the term of the construction to minimize damage to existing landscape and facilities. All damaged trees, shrubs or ground covers shall be restored or replaced. Replaced ground cover and seeded areas shall be fertilized and watered and maintained as required until lawn areas are reestablished. Irrigation systems shall be repaired to pre-construction condition and extent.
 - e) The responsible person shall repair or replace all damaged or removed traffic control devices in accordance with City standard to the pre-construction condition and extent as required by the City of Albany Police Department Traffic Engineering.
 - f) In the event that it is necessary to place a temporary surface on any cut opening, the temporary surface shall be composed of hot mix asphalt or cold mix paving materials. Gravel or flexbase surface material shall not be used as a temporary surface on any cut unless the preexisting street surface was gravel or flexbase. Hot mix asphalt may be required by Department of General Services for certain repairs were deemed necessary to maintain good driving conditions. Temporary surfaces shall be adequately compacted to prevent deterioration of repair during the temporary period.
 - g) If the cut is to be covered, the contractor shall use steel plates of sufficient strength and thickness to support all traffic. The plates must be sufficiently secured in place so as not to become dislodged or in any way cause a hazard to traffic. Asphalt transitions shall be placed as required to provide an acceptably smooth riding surface.
 - h) When a cut to a street with an asphalt overlay is left open to traffic after the base repairs are complete and while waiting to be "topped out" with a permanent asphalt surface, the edges of the cut overlay shall be ramped with asphalt in the direction of traffic at an angle that provides a smooth transition through the cut and shall be maintained in place until the permanent asphalt surface is placed. (See illustration next page) This shall apply only to non-residential streets.
 - i) Any temporary surface that fails to provide a non-deteriorating riding surface or fails to meet the requirements of these specifications shall be removed and replaced at the director's discretion, at the responsible person's expense. The Commissioner of the Department of General Services or his designee must approve any exceptions to these provisions.

Failure to make repairs in accordance with these standards may result in correction of the defects, by the City, with all response and repair performed at the contractor/utility's expense. All billing to the contractor for work performed by the City due to contractor noncompliance with this application, and the ordinance shall be at actual City cost for materials, labor, equipment and overhead plus actual indirect costs, as determined by the director, and such cost shall be considered to reflect the actual cost for the work performed.

B. Jacking, boring, or tunneling

Where pipe is to be installed under a roadway structure using jacking, boring, directional drilling, or tunneling methods, the construction will be in compliance with the provisions contained herewith "Jacking, Boring, or Tunneling" of the Commissioner of the Department of General Services or his designee addendum thereto. The following will be a guide of procedure for boring operations:

1. Prior to scheduled boring operations, plans for the proposed construction must be submitted to the City for approval.
2. All water mains must be located in advance of construction by potholing when crossing over or under the water mains or where the water main is running in the same direction and is within five (5) feet of the proposed facility.
3. Construction shall be made in such a manner that will minimize interference with vehicular traffic and shall not weaken or damage the existing street.
 - a) The location of the boring pits shall be of sufficient distance from the roadway to prevent undermining of the curb, gutter or shoulder section (normally 5 feet).
 - b) The pit shall be dug to a depth sufficient to maintain a minimum boring depth of 24 inches below the traffic surface. Jetting types of boring equipment will not be allowed.
 - c) Over cutting in excess of approximately two (2) inches shall be remedied by pressure grouting the entire length of the installation.
 - d) The pits or trenches excavated to facilitate this operation shall be backfilled immediately after work has been completed. The backfill shall be compacted to a density equal to the requirement for installation of City storm drainage facilities as specified on the Department of General Services Details. During construction operations, barricades, flashers, signs and other appropriate traffic control devices to safeguard traffic and pedestrians shall be furnished and maintained, in accordance with the manual on Uniform Traffic Control Devices, as currently amended until the job has been completed, at which time they shall be removed.
4. The contractor shall be able to locate the bore head at all times.

§ 323-71. Closing and re-pavement.

No pavement opening as authorized herein shall be closed without and until an inspection by the Commissioner of General Services or his designee. The closing and re-pavement shall thereafter be performed in a manner satisfactory to the

Commissioner of General Services and in accordance with his specification.

a. Backfill

The following requirements pertain to backfill operations:

1. The Commissioner of the Department of General Services or his designee shall have the authority to direct any entity or contractor to use flowable fill to backfill a trench or excavation in the public right-of-way in the interest of preserving the public convenience or safety.
2. All excess water and mud must be removed from the trench prior to backfilling. Any backfill placed during a rainy period or at other times where excess water cannot be prevented from entering the trench shall be considered temporary and must be removed as soon as weather permits. All backfills shall be compacted and surfaced with a minimum of one (1) inch cold mix or hot mix asphalt to improve traffic surface until permanent repair can be accomplished.
3. Following removal of any excess water and mud from the trench, the utility can be installed and bedded with granular material per utility requirements. The trench shall then be backfilled with selected materials from the excavation or with flowable backfill material as follows:
 - a) For all excavation and pavement cuts exceeding width and length of five (5) feet, backfill shall use select materials from the trench excavation. Excavated material used in backfilling shall be an earth free of all hard rock, stones, or boulders, having dimensions greater than six (6) inches and frozen earth, debris and roots larger than two (2) inches. Excavated material may not be used if it is water saturated. If trench excavation materials are not acceptable, then flowable backfill material shall be used for backfill as provided in this application. In the event rock is encountered, the rock excavation can be used for backfill provided it is processed as required in this application. During freezing weather where repairs must be made to restore or maintain service, crush stone may be used when approved by the director for backfill. That portion of backfill, which will not support any portion of any sidewalk, driveway, or roadway, shall be placed in layers not exceeding 10 inches in depth (loose measurement) and compacted to a density comparable with the adjacent, undisturbed material. That portion of the backfill which lies more than 12 inches below any portion of any sidewalk, driveway, alley, or roadway or other pavement shall be compacted by mechanical compaction to a density of 95% of Standard Proctor density to minus 2% to plus 4% of optimum moisture of samples of the backfill material as determined by

the "maximum density optimum moisture test" as provided in ASTM designation D698. If hand pneumatic tampers are used, the backfill shall be placed in layers not exceeding three (3) inches and thoroughly tamped in place. If heavier tampers (that is, operated by combustion engines, electric motors, or hydraulic cylinder) or mechanically driven compaction equipment are used, the thickness of the layers may be increased to a maximum of eight (8) inches provided the required density is obtained. The backfill shall be placed in uniform layers completely across the trench and compaction shall progress in an orderly and uniform manner. Utmost care must be taken in tamping in this manner to prevent damage to the conduit. All layer thicknesses shall be as measured by loose measurement. Instead of backfilling with excavated material as provided above, the contractor may backfill the trench with flowable backfill material as provided in this application.

- b) All pavement excavations equal to or less than five (5) feet in length or width shall be backfilled with flowable backfill material, unless the director authorizes an alternate backfill method and material.
- c) Flowable Backfill material shall meet the following requirements. Flowable Backfill material, also called unshrinkable fill and slurry concrete, shall be a controlled density material consisting of cement and/or fly ash, sand and water meeting the requirements of high strength fast fix flowable fill or low strength fast fix flowable fill.
 - 1. High strength fast fix flowable fill (H.S. Four F) shall consist of an appropriate amount of cement (with other additives as necessary) mixed wet with mortar sand to flow and fill all voids in the excavation. This fill shall develop a minimum compressive strength of 2,160 pounds per square foot (15 psi) one hour after placement, and a 28-day compressive strength within the range of 300 psi to 500 psi. The material must be such that it can be capped in one and one-half (1.5) to two (2) hours.
 - 2. Low strength fast fix flowable fill (L.S. Four F) shall consist of an appropriate amount of cement (with other additives as necessary) mixed with mortar sand to flow and fill all voids in the excavation. This fill shall develop a compressive strength of 1120 pounds per square foot (7.8 psi) one hour after placement,

and a 28-day compressive strength within the range of 25 to 100 psi. The material must be such that it can be capped in one and one-half (1.5) to two (2) hours. Any materials used shall be primarily granular, with a plasticity index less than 12 and with 100% passing a 3/4" sieve.

- d) Flowable Fill Base shall be a flowable fill meeting the requirements of high strength fast fix flowable fill
 - e) The use of flooding as a means of obtaining compaction of backfill shall not be allowed on existing public streets, alleys or sidewalks.
- 4. In addition to the provisions above, the portion of the backfill which lies within 12 inches below any portion of any driveway or "improved" roadway shall be compacted to secure a density of not less than 98% of standard proctor density to minus 2% to plus 4% of optimum moisture of samples of the material as determined by the "maximum density optimum moisture test" ASTM designation D 698. The backfill material shall be moistened when required to obtain satisfactory moisture content and compaction. If the flowable fill method of backfill is used, the flowable fill material shall be placed to the base of the pavement.
 - 5. The permittee will be required to provide a certified construction materials testing lab acceptable to the City to perform the appropriate tests, to ensure quality control for the backfill and pavement construction phases, at their expense. The results from compaction tests shall be supplied to the City within three days of the backfill work completion and before pavement construction begins. The results from pavement tests shall be supplied to the City within one week of completion of the project.
 - 6. If the backfill or pavement repairs do not meet these requirements, they shall be considered unacceptable and shall be removed and replaced. In cases where backfill or pavement repairs is unacceptable and the permittee refused to make them acceptable, the work may be accomplished by the City and all the direct and indirect costs back charged to the permittee responsible for the work.
 - 7. The City may perform, or have performed, any material tests needed as indicated by the situations described below:
 - a) Visual inspection by the inspector shows poor quality of workmanship or materials.

- b) Any other unusual circumstances that cause the Inspector to doubt the quality of work

All laboratory tests or retests shall be the responsibility of the permittee doing the work, at his sole expense

8. Compaction testing will not be required where flowable fill is used and accepted for the trench backfill.
9. Specifications for pavement testing shall meet the requirements contained in the applicable provisions of the Standard Specification of the Department of General Services.

§ 323-72. Maintenance; subsequent repairs.

A. A person authorized to open a street or sidewalk pursuant to the provisions hereof (the permittee) shall have a continuing duty to keep such area free from settlement or other defects caused by said openings and shall, when necessary, repair and restore such area to a condition satisfactory to the Department of General Services.

B. If a permittee fails to properly repair within five days after written notice thereof from the Department of General Services, the Department of General Services shall have such repairs made, which shall be charged against the permittee.

C. Nothing contained herein, however, shall prevent or preclude the Department of General Services from taking whatever steps may be necessary, with or without notice, when emergency or otherwise dangerous conditions exist.

Any application that exceed \$2500.00 in opening fees may require a 10% bond to be placed with department, which upon completion and inspection the department may reimburse or use to correct dangerous conditions that may exist

D. Pavement repairs

1. Pavement repairs are to be made as rapidly as is consistent with high quality workmanship and materials. Use of fast setting concrete and similar techniques is encouraged insofar as possible without sacrifice of the quality of the repair. Unless otherwise allowed by the Commissioner of the Department of General Services, excavations on thoroughfares must be filled and compacted or properly plated within 24 hours.
2. Core holes and utility potholing shall be repaired as follows:
- a) For core holes exceeding one-foot depth, the hole shall be filled with a nonshrink grout having a compressive strength of 4500 psi after 28 days. The grout material used shall be compatible with the existing surface in color and texture and shall seal the

hole to prevent the intrusion of moisture into the subgrade.

- b) For core holes not exceeding one-foot depth, which pass into the subgrade, the subgrade shall be tamped to provide pavement support first and the hole shall be filled with the required nonshrink grouts as in no. 1 above.
- c) Excavations for potholing to expose underground utilities shall be backfilled with HS Four F flowable fill.
- d) On asphalt streets, hot mix fine graded surface course asphaltic concrete tamped in place shall be used in place of the non-shrink grout.
- e) The surface of the completed repair shall have no indentions, pockets or recesses that may trap and hold water, nor have bumps or high places but the completed surface shall match the grade of the existing pavement surface.
- f) Repair of cored holes 12-inches in diameter or less for subsurface geotechnical investigation, materials testing, or utility relocations are not subject to the repair extent standards, but shall be repaired as noted above.
- g) All excavations considered destructive or disturbing to the surrounding pavement such as the use of a backhoe to break the pavement will be subject to the repair extent standards no matter the reason for the excavation.

3. After placement of temporary repairs is completed, the utility/contractor shall clean and remove all debris and barricades from the area, and maintain the pavement cut until permanent repairs are made. Final pavement repairs shall be made by the utility/contractor within a 14 calendar day period after temporary repairs are made. All permanent patches and repairs shall be appropriate to the surface. For example, reinforced concrete pavement repairs shall be required for streets with concrete surfaces, reinforced concrete base with asphalt hot mix overlay pavement repairs shall be required for "overlaid" concrete streets, etc.

In no case shall there be an asphalt repair in a concrete street or a concrete repair in an asphalt street.

4. Replacement of Curb and Gutter, Sidewalk and Alleys shall be as follows:
- Construction of support base and curb and gutter, sidewalk and alley pavement shall be as required by the specifications for Department of General Services Class "Hand Finish" concrete shall be used to replace cuts in concrete alley pavement and "Sidewalks, Separate Curb and Gutter, and Median Pavement" class of concrete shall

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be used to replace curb and gutter, sidewalk and median concrete pavement. Alley pavements shall be restored using like materials in accordance with the pavement details provided in this application.

All materials used to replace pavement base and pavement shall be in accordance with the requirements of this application, the specifications for Department of General Services.

§ 323-73. Fee exemption.

Permits shall be required for City paving, water and sewer operations and for private contractors operating in connection therewith; however, no permit application fee shall be charged.

§ 323-74. City-made openings; repairs.

When employees of the City make openings in the pavement, sidewalk or other public places of the City and find defects in water services or house drains are responsible, the plumber employed to repair such defect shall make application and obtain permits for such openings in the same manner as is herein provided for other openings.

§ 323-75. Promulgation of rules and regulations.

The Commissioner of the Department of General Services is hereby authorized to promulgate and amend a fee schedule and additional rules, regulations and specifications necessary to supplement and effectuate the purpose and intent of this article.

§ 323-75.1. Capital improvements.

All persons, corporations or other entities proposing to install or repair pipe, cable, wire, conduit or other facilities in, on or over any street, within a public right of way or sidewalk in the City of Albany or otherwise dig in or open the same shall be responsible for reviewing the City's list of streets and sidewalks scheduled for repair or reconstruction, to be prepared and maintained by the Department of General Services, and shall make provision to do any work, except emergency work, which requires the opening or use of any such street or sidewalk prior to or during the construction of the project undertaken by the City. No permit to use or open any street or sidewalk which would require resurfacing or reconstruction, except for emergency work as hereinafter provided, shall be issued to any such person within a five-year period after the completion of the construction of a capital project by the City relating to such street or sidewalk unless such person demonstrates that the need for the work could not have reasonably been anticipated prior to or during such construction. Notwithstanding the foregoing, the

Commissioner of General Services may issue a permit to open a street within such five-year period upon a finding of necessity therefor, subject to such conditions as the Commissioner may establish by rule, which shall include appropriate guarantees against the deterioration of the restored pavement and may include a higher fee structure.

§ 323-75.2. Pavement improperly re-laid.

Any pavement which has not been re-laid, repaired or reconstructed to the satisfaction of the Commissioner of General Services shall be repaired, reconstructed and properly re-laid within five days after service of an order by the Commissioner or his designee upon the person by whom such pavement was removed or, if such removal was for the purpose of making a connection between any building or lot, or for any sewer or pipes in the street, or for constructing vaults, or otherwise improving any building or lot.

§ 323-76. Penalties for offenses.

Violations of any of the provisions hereof shall be punishable in accordance with Chapter 258, Penalties, of the Code of the City of Albany.

City of Albany Code-Chapter 323 Streets & Sidewalks

Article IV: Section 323-75 Promulgation of Rules and Regulations

City of Albany Code- Chapter 323 Streets and sidewalks.

Article IV: Section 323-75 Promulgation of Rules and Regulations.

In accordance with Section 323-75 of the Codes of the City of Albany, the Commissioner of the Department of General Services is authorized to promulgate and amend a fee schedule and additional rules, regulations, and specifications necessary to supplement and effectuate the purpose and intent of Article IV, pavement openings, of Chapter 323. The following fee schedule and additional rules, regulations and specifications are hereby adopted.

1. If a street opening is performed without the necessary permit, a Stop Work Order will be issued. An additional fee of five hundred dollars **\$500.00** is required to lift the Stop Work Order, and to allow the work to proceed under a properly issued permit. No additional permits shall be issued to the contractor or individual until such fee is paid. Violations of the provisions of this article, where the performance of any act is prohibited by this ordinance, the doing of such act or the failure to act, as the case may be, shall be punishable by a fine which shall not exceed \$1500 (**1st Offense \$500.00, 2nd offense**

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\$ 750.00, 3rd Offense \$1000.00, 4th offense \$ 1500.00) in amount or by imprisonment not exceeding 15 days, or both. Further, the Court shall award associated Court costs upon any plea or finding of guilt.

2. No Pavement openings shall be issued to, nor shall any additional pavement opening work be performed by, the permittee until all fees and fines have been paid in full.

3. No pavement openings shall be permitted between November 1st and December 31st for the following areas:

- a) The downtown business district, as defined by the C-3 zoning classification on the official City zoning map.
- b) The full length of Central Avenue, from Lark Street west to the City line.
- c) The full length of Central Avenue, from Lark Street east to the City line.
- d) Delaware Avenue, from Madison Avenue south to the City line.
- e) Madison Avenue, from Quail Street to Partridge Street, and from Main Avenue to South Allen Street.
- f) New Scotland Avenue, from Madison Avenue to Grove Street, and from West Lawrence Street to Manning Boulevard.
- g) Henry Johnson Boulevard, from Livingston Avenue to Sheridan Avenue.

4. Emergency Pavement Openings:

The normal permitting requirements are hereby postponed when an emergency situation exists that requires and immediate response, repair, and pavement opening in order to protect public health, welfare, and safety. Gas line breaks, water line breaks and other such situations shall be considered emergencies for the purposes of this section. When a pavement opening is to be performed on an emergency basis, the following procedures shall be followed:

a) The responsible entity shall fax a written notice of the emergency work to the Department of General Services at **(518) 427-7499**, before any work begins. The fax shall identify the exact location by street address, nature of the emergency, and the work to be performed. If a fax cannot be transmitted for whatever reason, then the proposed work shall be called in at **(518) 427-7480**, and emailed to DGSPermits@albanyny.gov

b) The normal permitting requirements shall be complied within 72 hours of commencement of work on the emergency pavement opening.

c) If any emergency work is performed during November or December, in the areas described in Section 3 of the Rules and Regulations, then the work shall be performed at night and shall be completed in the shortest possible time, in order to avoid disrupting commercial activities.

5. If any emergency work is performed during November or December, in the areas described in Section 3 of the Rules and

Regulations, then the work shall be any concrete sidewalk disturbed shall be replaced/repared with full concrete panels.

6. In the downtown area, as defined by the C-3 zoning classification on the official City zoning map, all work shall be performed only between the hours of 7:00pm and 7:00am.

7. For any reason street openings greater than fifty (50) feet in length, the following additional Rules and Regulations apply:

a) Three (3) copies of proposed project location plan shall be provided to the City for conceptual review and approval. The plan shall be to scale, and shall clearly show the location/routing of all proposed improvements.

b) Upon approval by the City of the proposed project location plan, the permit applicant shall submit the following items to the City for review and approval:

1. Three (3) copies of drawings or plans that clearly indicate the proposed work drawn to scale of 1-inch equals 20-feet for site plans, and 1-inch equals 40-feet for utility plans. The plan shall include the minimum features:

- All public right-of-way lines
- Sidewalks-existing and proposed
- Curb lines- existing and proposed
- Names of streets, intersecting streets and street width
- Survey monuments
- Driveways-existing and proposed
- Restoration details
- Overhead and underground utilities – existing and proposed
- Underground utility profiles- existing and proposed
- Grading- existing and proposed

2. Maintenance and protection of traffic plan shall be approved by the City of Albany Police Department Traffic Engineering division and submitted to the Department of General Services

3. Detailed construction schedule

4. Acknowledgement by the applicant, that upon receipt of the City's approval, the applicant will comply with the following conditions:

- The City of Albany Department of General Services – (518)427-7480, shall be notified in writing a minimum of forty-eight (48) hours in advance of construction date, to verify if any City plantings and/or landscaping will be affected by the project. The applicant shall be responsible for any damage to City of Albany property.
- The applicant will notify the City in writing, a minimum, of forty-eight (48) hours in advance of the following:

City of Albany

Department of General Services

Sidewalk-Road Opening Permit Application

Telephone-518-427-7480

Fax- 518-427-7499

www.albanyny.gov/637/General-Services

- a) Pre-construction meeting- no construction shall begin prior to the pre-construction meeting.
- b) Final completion for the final inspection.
 - A New York State Licensed Professional Engineer shall inspect and certify that all construction is in accordance with the City approved plans. Full time inspection may be required on projects requiring extensive and complex construction procedures, within thirty (30) days of the final completion date.
 - All permit holders making excavations in streets to public places shall guarantee permanent restoration work for a period of-three (3) years from the City's date of acceptance of the permanent restoration. The permit holder shall be required to completely re-excavate, refill and repave and permanent restoration that fails within the guaranteed period. The permit holder is responsible anytime in the future for the proper restoration of permit work found not in compliance with City standards.

Upon notification by the City, the permit holder shall completely re-excavate, refill and repave excavation.

5. Any other public agency permits, if required

6. Any additional items specific to permit approval, as deemed necessary by the City.

a) A presentation of the project by the applicant, or their designated representative, at the City Development Review Meeting may be required, at the discretion of the City.

b) The minimum area of pavement restoration, including pavement markings, shall include the full travel lane width along the entire length of the street openings. Pavement restoration shall be in accordance with the City's restoration standards, or as directed in writing by the City.

c) A spare conduit system for the City of Albany shall be furnished and installed in accordance with the City's Standard Specification for City Conduit (attached), at no cost to the City.

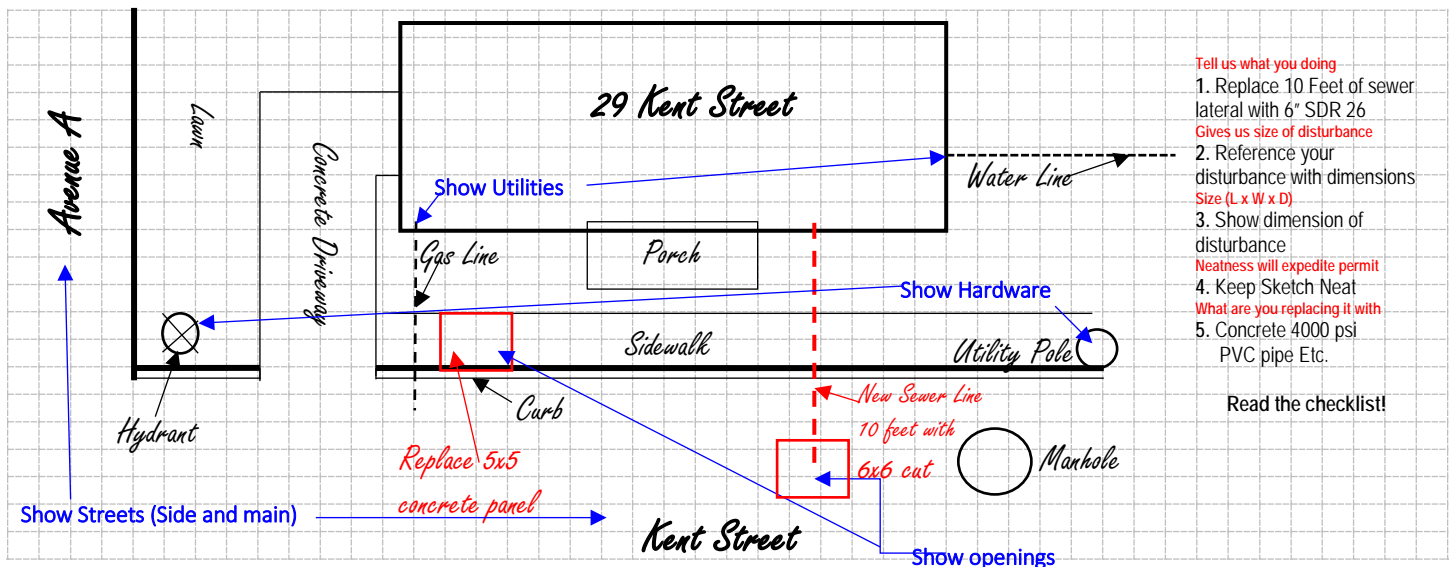


SAMPLE STREETS & SIDEWALK OPENING SKETCH- City of Albany Department of General Services

Location (Street Address) of work 29 Kent Street, Albany N.Y.
 Application Number _____
 Dig Safe Number 18796898

This form shall be used unless construction plans are required to be submitted. Provide an accurate sketch of the proposed work including:

- location and limits of disturbance
- Show location site fixtures, including utility poles, hydrants, valves, overhead utilities, underground utilities, buildings , driveway , sidewalks and curbs
- Show restoration details.



PURPOSELY LEFT BLANK

STREETS AND SIDEWALK OPENINGS APPLICATION

City of Albany Department of General Services

FOR DGS USE ONLY		LOCATION & PURPOSE INFO									
Date Received by DGS		Location of Opening (Street Address)									
Date Processed by DGS		Dig Safe #				WR #					
Approved by: (Name)		Purpose of Opening									
PERMIT NUMBER		Pole #		ST Light to Be Moved Y / N			Pole Signs to Be Moved Y / N				
INSTRUCTION TO APPLICANT: The application shall be completed in full, either typed or printed in ink and filed with the City of Albany Department of General Services located at one Conners Boulevard Albany, New York 12204 together with the following items: <input type="radio"/> Detailed sketch of work involved including restoration (Drawn to scale with dimension) <input type="radio"/> Certificate of insurance, naming the City as an additional insured <input type="radio"/> Permit application \$ 100.00 Fee <input type="radio"/> Opening Fee \$ 5.00 per Sq. Ft. of Disturbance		APPLICANT INFO									
		Name				Phone #					
		Complete Address									
		CONTRACTOR INFO									
		Name				Phone #					
		Complete Address									
		DIMENSIONS (L x W)		OPENINGS		Restoration Responsibility – Please Check All That Apply					
				Driveway		Contractor	Property Owner	AWD	NG	City	Other
				Lawn – SW to Building							
				Sidewalk							
		Apron									
		Curb									
		Street									
		Maint Strip - Curb to SW									
FEE CALCULATION		Total = _____		Special Notes For Restoration Responsibilities:							
Number of Permit Application \$ 100.00 Fees		Billable Sq Footage		DESIRED OPENING				Date		Time	
_____ X \$100.00 Application Fee = \$ _____				TIME OPENING WILL REMAIN				Days		Hours	
Opening Fee \$ 5.00 per Sq. Ft. of Disturbance				ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE CITY OF ALBANY PAVEMENT OPENINGS ORDINANCE AND RELATED RULES AND REGULATIONS AND SHALL BE COMPLETED WITHIN 30 DAYS OF THE DATE OF ISSUANCE OR THE APPLICANT SHALL OBTAIN A NEW PERMIT							
Square footage of opening (Length X Width)											
_____ X \$ 5.00 Application Fee = \$ _____											
Grand Total		\$ _____									

I the undersigned understand that the permit which may be issued pursuant to this application is issued on the assumption that all of the representations made on this permit application are true and accurate. I have read and understand the provisions of the Pavement Opening Ordinance and related Rules and Regulations and shall comply with said requirements. I understand that if any of the information on this form is found to be untrue or inaccurate or if the work initiated pursuant to a permit granted based on the representations made on this application is not completed in accordance with the representations made on this permit application, then the permit may be revoked without notice to myself, the contractor or any other party

Applicant's Signature _____ Date _____

Please Print Name _____ Email Address _____

DO NOT WRITE BELOW THIS LINE			
The permit application is hereby	APPROVED	TABLED (Incomplete) Date _____	DENIED : Reason _____
Signature _____		Date: _____	
<input type="checkbox"/> Check here if attached is construction plans are attached			

STREETS AND SIDEWALK OPENINGS APPLICATION REVIEW FORM

City of Albany Engineering	
Date sent for review	Date DGS Received
COMMENTS	
<input type="checkbox"/> Moratorium Check Completed	<input type="checkbox"/> Emergency Work
Signature of reviewed by: _____ Date: _____ <input type="checkbox"/> Approved <input type="checkbox"/> Denied Reason: _____	

City of Albany Water Department	
Date sent for review	Date DGS Received
COMMENTS	
<input type="checkbox"/> Emergency Work	
Signature of reviewed by: _____ Date: _____ <input type="checkbox"/> Approved <input type="checkbox"/> Denied Reason: _____	

City of Albany Traffic Safety	
Date Notified	Date DGS Received
COMMENTS	

City of Albany Department of General Services	
Date	File #
COMMENTS	



Dig Safety Number _____



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