

ORDINANCE NO. 1600-2018

AN ORDINANCE AMENDING THE ANGOLA MUNICIPAL CODE,  
TITLE 12 STREETS, SIDEWALKS AND PUBLIC PLACES,  
CHAPTER 12.15 EXCAVATIONS

BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF ANGOLA, INDIANA that the Angola Municipal Code, Title 12 Streets, Sidewalks and Public Places, Chapter 12.15 Excavations is amended in part by the text of existing provisions in this style type, additions in **this style type**, and deletions ~~this style type~~:

Section 1. Section 12.15.010 Permit application is amended to read as follows:

(A) Prohibited. No person shall make any excavation into, under or across any pavements (paved or unpaved), gutters or curbs within the city or state public rights-of-way or to disconnect water and/or sewer service without first obtaining a street cut permit from the office of the City Engineer.

(B) Permit Fees.

(1) Excavation of Public Street or Right-of- Way. A street cut permit fee of \$100.00 is established for administration and inspection to excavate in a public street or right-of-way for the purpose of connecting or disconnecting from water, sanitary sewer, storm sewer, or other public or private utilities located within city public right-of-way, or for constructing, removing or making alterations to pavement, curbs, gutters, drive approaches, or other improvements located within city public right-of-way.

(2) Excavation of Sidewalk. No street cut permit or permit fee is required to remove existing sidewalk and install new sidewalk if the new sidewalk is replaced in the same location and to the same grade as the old sidewalk. When new sidewalk is planned to be installed where no sidewalk exists, the owner/applicant shall submit a plan to the office of the City Engineer and said office will determine if a street cut permit and permit fee are required. If minor excavation is involved to install the new sidewalk, the office of the City Engineer may determine that no street cut permit and no permit fee are required. Minor excavations are generally defined as excavations less than 18 inches in depth from existing finish grade. When excavation over 18 inches is required to install the new sidewalk, the office of the City Engineer may determine that a street cut permit and permit fee are required.

(C) Escrow Deposit. In addition to the street cut permit application fee, an escrow deposit is established. The full deposit is refundable upon satisfactory completion of work. Partial refunds may be granted where determined by the City Engineer and Street Commissioner to be partially complete and extenuating circumstances prevent completion of the work. If the City Engineer and Street Commissioner determine that work cannot be completed within one year of permit date, the Board of Public Works and Safety may authorize an extension. Unless extended by the Board of Public Works and Safety, upon one year of permit date, the deposit shall be refunded and/or forfeited.

(1) Two thousand dollars deposit to excavate in a public street or right-of-way for the purposes of connecting to or disconnecting from water, sanitary sewer, storm sewer, or other public or private utilities located within city public right-of-way, or for

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constructing, removing, or making alterations to pavement, curbs, gutters, drive approaches, or other improvements located within city public right-of-way.

(2) Four thousand dollars deposit to ~~excavate in a public street or right-of-way for the purposes of connect~~ **connecting** to or ~~disconnect~~ **disconnecting** from city-owned water, sanitary sewer, or storm sewer **or other improvements** located within a state public right-of-way.

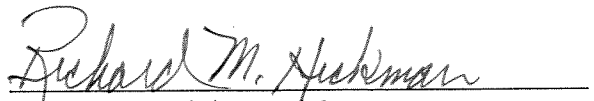
(3) Five hundred dollars deposit to perform excavating or other work within city public right-of-way when the office of the City Engineer determines that the proposed work generally consists of minor excavations. Minor excavations are generally defined as excavations less than 18 inches in depth from existing finish grade.

(4) No deposit is required to remove existing sidewalk and install new sidewalk if the new sidewalk is replaced in the same location and to the same grade as the previous sidewalk.


**(D) Bonds. Upon request, the City may accept a bond in lieu of an escrow deposit in addition to the street cut permit application fee. Each permit application requesting a bond shall be submitted to the City Engineer with construction plans and specifications. Upon review and approval of the City Engineer, said request shall then be submitted to the Board of Public Works and Safety for acceptance. Upon recommendation by the City Engineer, an applicant may be approved by the Board to submit bonds for future projects without further action by the Board.**

This ordinance shall become effective upon passage and adoption by the Common Council and approval by the Mayor.

DULY PASSED AND ADOPTED by the Common Council of the City of Angola, Indiana, on the 17th day of December 2018 by the vote of 5 ayes and 0 nays.

  
Richard M. Hickman, Mayor  
Presiding Officer

Attest:

  
Debra A. Twitchell, Clerk-Treasurer

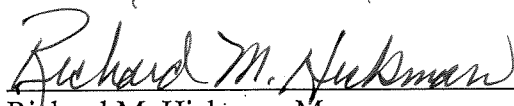
This ordinance presented by me, the Clerk-Treasurer of the City of Angola, Indiana to the Mayor at the hour of 7:20 a.m./p.m. this 17th day of December 2018.



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Debra A. Twitchell, Clerk-Treasurer

This ordinance signed and approved by me, the Mayor of the City of Angola, Indiana this 17th day of December 2018.

  
Richard M. Hickman, Mayor

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