

**PROPOSED AMENDMENT OF ORDINANCE NO. 214-29.D REGARDING FEES FOR  
STANDARD UTILITY OPENING PERMITS AND ORDINANCE NO. 214-29.E  
REGARDING FINES FOR VIOLATIONS OF THE ORDINANCE**

WHEREAS, Code of Ordinances Section 214-29.D. provides for a \$250.00 flat fee for a standard utility opening permit; and,

WHEREAS, Section 214-29.D. should be amended to take into account the effect of utility cuts upon pavement performance and the resulting repair costs to the City; the classification of road upon which excavation is being performed, which is indicative of the interference of the flow of traffic which will be caused by the excavation activities; the length of construction; and the disruption of sidewalks; and,

WHEREAS, it is in the best interests of the citizens of Stamford for the City to (a) encourage parties to complete roadway excavations as soon as possible; and (b) require parties performing roadway excavations to offset the costs to the City of the effect of utility cuts in pavement upon performance and the resulting expenses of repairs and for the disruptions to traffic caused by such excavations; and,

WHEREAS, the amendment of Subsection D requires an amendment to subsection E regarding violations of the Ordinance;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF STAMFORD THAT CODE  
OF ORDINANCES SECTION 214.29.D. AND SECTION 214.29.E ARE AMENDED AS  
FOLLOWS:**

**D. 1. The City shall charge the following fees for every “standard utility opening permit”:**

<b>Street Classification</b>	<b>Amount of Fee</b>	<b>Plus Square Footage Fee</b>
1. Local	\$250.00	\$1.00 per square foot
2. Collector	\$375.00	\$1.50 per square foot
3. Minor Arterial	\$625.00	\$2.50 per square foot
4. Major Arterial	\$875.00	\$3.50 per square foot

The street classifications shall be determined by the Director of Operations. The Director of Operations notify the Board of Representatives of all street classifications within ten (10) days of the effective date of this Ordinance, and with any changes to any street classification within ten (10) days of such change. A list of street classifications shall be available to the public in the office of the Director of Transportation.

There shall be an additional fee of \$100.00 per cut for cutting into sidewalks.

**2.** There shall be a separate permit issued and a separate fee charged for each section of roadway upon which excavation is performed. For the purposes of this Ordinance, a “section of roadway” shall mean that portion of a roadway from one intersection to the next intersection.

**3. The fee for the Permit shall be for a period of fourteen (14) calendar days. If construction activities exceed fourteen (14) calendar days, the party performing the excavation shall be obligated to pay to the City an additional fee of twenty five percent (25%) of the total fee paid for the initial fourteen (14) day period, for each ensuing seven (7) day period until construction activities have concluded.**

**4. Final patch must be completed within six (6) weeks after the date of the end of the Construction Period stated in the Street Opening Permit. Failure to complete final patch within such time period shall constitute an offense within the meaning of Subsection E of this Ordinance.**

**E. Each violation of any provision of this section shall constitute a separate offense. All persons, as principals, agents or permittees, causing, participating in or in any way responsible for any violation of this section, shall be severally guilty of such violation and shall each be fined not less than four (4) times the cumulative permit fee. Additionally, in the event construction activities have not been completed by the time periods sets forth in Subsection D above or trenches are not backfilled properly and properly maintained with hot mix asphalt, the permittee shall be fined at a rate equal to ten percent (10%) of the cumulative permit fee per calendar day and no additional permits shall be issued to the offender until the existing condition is rectified to the satisfaction of the City Engineer. Failure to comply with specified requirements may result in revocation of any existing permits, and no further permits shall be issued for ninety (90) days for the first offense, one (1) year for the second offense and the third offense may result in permanent denial of any street opening permit. Notwithstanding, the fines mentioned above still apply.**

**BE IT FURTHER ORDAINED** that this Ordinance shall be take effect immediately on approval.

Randall M. Skigen, President, and Annie M. Summerville, Clerk, do hereby certify that the foregoing Ordinance was \_\_\_\_\_ by a machine vote of \_\_\_\_\_ by the 29th Board of Representatives at the Meeting held on \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Randall M. Skigen, President

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Annie M. Summerville, Clerk

\_\_\_\_\_  
David R. Martin, Mayor, City of Stamford

EFFECTIVE DATE: \_\_\_\_\_

- C: Mayor David R. Martin
- Kathryn Emmett, Director of Legal Affairs
- Ernie Orgera, Director of Operations
- Donna R. Loglisci, City and Town Clerk
- Louis Casolo, City Engineer
- Tom Turk, Traffic & Road Maintenance Supervisor
- Burt Rosenberg, Asst. Corporation Counsel