

To: All Contractors working in Burlington Public Rights-of-Way

From: A. Lanny Rhew, P.E.  
City Engineer

Date: February 5, 2014

RE: "City of Burlington Rights-of-Way Management Ordinance" &  
"Utility Pavement Cut Policy"

On January 21, 2014, the City of Burlington adopted an ordinance pertaining to work within the City maintained public rights-of-way (ROW). This ordinance pertains to City maintained ROW only and not those maintained by the DOT. It is designed as a mechanism to:

- protect the City's valuable infrastructure assets within the rights-of-way and preserve the public rights-of-way for future generations,
- establish uniform standards for work within the rights of way, and
- insure that entities working in the right of way have required levels of insurance to protect both the City and the lines of others within the streets.

As part of this ordinance, a Utility Pavement Cut Policy was adopted to provide technical guidance for the various work within the ROW. The document provides guidance for excavations in the public rights-of-way and corresponding restoration. Presently, all excavations in the ROW require an excavation permit, granted under the supervision of the Engineering Department. In the past, when work is being performed under the inspection of our department, a formal permit has not been issued. Going forward the following requirements will apply to work that is performed in the ROW maintained by the City:

- All contractors shall supply a \$5000 performance bond and show adequate Certificate of Insurance of a minimum of \$1,000,000. Greater amounts may apply based on the extent of the work.
- An excavation permit will be applied for and reviewed and be subject to the applicable fees.
- Any person performing any work of excavation under any contract with the City will be exempt from payment of the excavation permit fees.

In the future, any licensed utility contractor that has need to make a tap to a utility within the City maintained ROW will be required to, fill out a Right-of-Way Use Application, pay the applicable fees, provide a performance bond and adequate certificate of Insurance, and perform the work in accordance with the Utility Pavement Cut Policy.

We have attached a copy of the Utility Pavement Cut Policy, Right-of-Way Use Application, and Pavement degradation fee calculation example sheet. If you have any questions you may contact Matt Beckwith or me at 222-5050.

Lanny Rhew, P.E.  
City Engineer