Chapter 12.24 Street Obstructions and Excavations

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12.24.010 Prohibited Generally

All streets, alleys, sidewalks, crossings and public places within the limits of the City of Dillon shall be kept free and clear of any and all encumbrances, obstructions or encroachments and the conduct of any business or enterprise except as provided herein. Anyone violating this section shall be punished as provided in this title. (Prior code §282)

Enc Ord 374 July 21, 1994 Re Enc Ord 384 December 7, 1995

12.24.015 Sidewalk Board Signs Allowed

Sidewalk (sandwich) board signs shall be allowed on the sidewalks in the Central Business District; Highway Business District; and the Industrial District of the city. The following requirements must be met before a sidewalk sign can be positioned on a sidewalk: (a) signs cannot extend any further than two (2) feet from the building wall; (b) signs must be placed so as to allow no less than four (4) feet of unencumbered walking space from the edge of the sign to the edge of the sidewalk; (c) signs cannot be placed within ten (10) feet of any corner; and (d) a sign permit must be applied for and issued by the city as required in Chapter 17.24 of the city ordinances.

Enc Ord 384 December 7, 1995

12.24.020 Temporary Obstructions—Permit Required

Any person or association of persons desiring to encumber or obstruct any street, alley, sidewalk, or public place for a temporary length of time shall first obtain the written permission of the Director of Operations.

Enc Ord 374 July 21, 1994

12.24.030 Excavations—Permit Required

No person or association of persons shall tear up, injure or destroy any street, alley, sidewalk, crossing or public place; or dig any hole, excavation or haul rocks, dirt, earth or other material into any street, alley or public place without the written consent of the director of operations first obtained; or hinder, delay, interfere with or impede any improvement of any street, alley or public place, or in any manner interfere with the conditions on the street, alley or public place, except on the orders or under the direction of the director of operations. (Prior code §284)

Enc Ord 374 July 21, 1994

12.24.40 Excavations Paved Streets and Alleys– Repairs.

All trench excavations on paved streets and alleys must be performed and backfilled according to the following requirements.

Asphalt pavement shall be saw-cut producing a neat clean asphalt line for repaving. The removed or damaged areas of the excavation shall be restored with the following section:

 3” Minimum - Asphalt Concrete Pavement\*

 4” - Crushed Base Course Gravel (3/4 inch minus)\*

 Full depth of trench - Cement Slurry (Flowable Fill)\*

\*Crushed Base Course Gravel shall be compacted to 95% of maximum dry density according to the Standard Proctor Method (AASHTO T99). Crushed Base Gravel may be replaced with Cement Slurry (Flowable Fill) Mix (1 Bag of cement per cubic yard of slurry mix) if preferred.

Asphalt Concrete Pavement, Flowable Fill and Crushed Base Course Gravel shall conform to the requirements for materials and installation identified in the Montana Public Works Standard Specifications, 5th Edition, March 2003 or most current edition.

During the excavation and until the asphalt concrete pavement is replaced and cured, “Excavation Permittee” shall provide adequate flagging, fencing and signage to protect the public from the excavation. The asphalt concrete pavement shall be given at least 12 hours to cure after placement and compaction, prior to allowing vehicle traffic to resume.

Following backfill, compaction and asphalt concrete pavement placement, all materials and products used for the excavation and backfill, shall be removed from the site. The entire working area shall be broomed or washed to produce a clean street area.

The “Excavation Permittee” shall warranty the asphalt and/or concrete pavement in the replacement area, against excessive settlement, for a minimum of 2 years. Settlement equal or more than ½ inch vertically (measured from adjoining asphalt pavement) is considered excessive.

Enc Ord 374 July 21, 1994 Amended Ord 414 April 5, 2006

12.24.50 Excavations Unpaved Streets and Alleys – Repairs.

All trench excavations on unpaved streets and alleys must be performed and backfilled according to the following requirements.

 3” Minimum - Crushed Base Course Gravel (3/4” minus)\*

 Full depth of trench – Sub Base Course Gravel (3” Minus pit run gravel)\*

\*Crushed Base Course Gravel and Sub Base Course Gravel placed in unpaved STREETS shall be compacted to 95% of maximum dry density according to the Standard Proctor Method (AASHTO T99.and shall meet the requirements of Type A Trench Backfill, as provided in the Montana Public Works Standard Specifications, 5th Edition, March 2003 or most current edition.

\*Crushed Base Course Gravel and Sub Base Course Gravel placed in unpaved ALLEYS shall be compacted to 90% of maximum dry density according to the Standard Proctor Method (AASHTO T99.and shall meet the requirements of Type B Trench Backfill, as provided in the Montana Public Works Standard Specifications, 5th Edition, March 2003 or most current edition.

During the excavation and until the trench is fully backfilled, “Excavation Permittee” shall provide adequate flagging, fencing and signage to protect the public from the excavation.

Following backfill and compaction, all materials, products and debris used for the excavation and backfill, shall be removed from the site.

Enc Ord 374 July 21, 1994

12.24.055 Excavations - Payment Responsibility

At any time that a street or alley needs to be excavated, it will be the responsibility of the person responsible for the excavation to pay to the city the actual cost for the replacement of the road surface as determined by the Director of Operations according to a formula approved by the city council.

Enc Ord 374 July 21, 1994

12.24.060 Warning Lights for Excavations Required

Every person or persons or association of person who creates any excavation or opening in a street, alley, public place or within twenty feet thereof, shall place a temporary fence or railing around the same at night, and in addition thereto, shall place warning lights sufficient to warn persons of such pit, cellar, excavation or other opening. (Prior code §287)

Enc Ord 374 July 21, 1994

12.24.110 Sidewalks—Coal Holes—Unsafe Condition—Breaking or Injuring

No person shall leave any cellar door open on any street, sidewalk or alley. No person shall permit any sidewalk on the premises owned or controlled by him to become unsafe. No person, while receiving goods or merchandise, shall permit the same to remain on any sidewalk longer than four hours. No person shall ride or drive any horse, other animal or vehicle on any sidewalk in the city. Any person who breaks or injures any sidewalk shall repair the same within twenty-four hours. (Prior code §292)

Enc Ord 374 July 21, 1994

12.24.130 Obstruction of Streets by Railroad Trains Prohibited

It is unlawful to obstruct any street or streets of the City of Dillon at the railway crossings by the standing of any car or any locomotive or engine on any street crossing for a longer period than fifteen minutes, and any agent, conductor, engineer, fireman, brakeman, trainman or switchman or other person or persons who cause any street of the city to be obstructed, shall be deemed guilty of a violation of this section. (Prior code §300)

Enc Ord 374 July 21, 1994

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