



Town of Wells, Maine Code Enforcement Office

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NEW STREET AND DRIVEWAY OPENING FEES & CONDITIONS

Authority is granted to the Selectmen in Chapter 201 – Roads and Streets in Sections 201-11C Driveways and Private Drains for setting fees and fine levels and 201-14B Street Openings to set opening fees, conditions including types and limits of surety for street openings.

DRIVEWAY FEES

Driveway Permit:	\$ 15.00	Circular:	\$30.00
Failure to get permit:	\$100.00		

STREET OPENING FEES

Street Opening Permit: \$50.00

Surety Level and Limits: Purpose is to ensure proper closing of the street opening for an 18-month period in case of cracking, settling and poor workmanship. The surety may be in the form of a bond or irrevocable letter of credit from a bank. The level of surety is as follows:

SURETY

- One thousand dollars (\$1,000) for cross cut; five thousand dollars (\$5,000) for parallel openings in the asphalt or concrete not to exceed five hundred feet (500 ft.) and ten dollars (\$10) per foot in excess of five hundred feet (500 ft.).
- Parallel cuts in shoulders or gravel roads; seventy-five dollars (\$75) minimum and one dollar (\$1) per square yard over twenty-five square yards.
- These sureties may be waived if evidence of similar type bonds are demonstrated.

UTILITY COMPANIES

Street Opening Permit: \$15.00 (each)

Surety: Once a year file surety letter with Town guarantees to fix or pay for the repair to an opening (within an 18 month period) judged by the Public Works Director to be in need of repair. The Public Works Director may repair the opening only after notifying the Utility Company holding the permit and allowing them the chance to repair it within 30 calendar days from notification.

HIGHWAY DEPARTMENT CONDITIONS APPLICABLE TO HIGHWAY OPENING PERMITS

CONDITIONS – All permits shall be granted subject to the following conditions.

1. The traveling public shall be adequately protected:
 - At least one-way traffic shall be maintained at all times.
 - Work shall be signed, lighted and traffic officers will be supplied when necessary. All traffic controls shall be in accordance with the manual on Uniform Traffic Control Devices for Streets and Highways as published by the State of Maine, Department of Transportation.
2. Construction methods shall be such that excessive size of excavation and excessive destruction of pavement will be avoided. Pavements shall be cut in advance along the proposed edges of the excavation. Trenches showing a tendency to collapse shall be supported by substantially placed sheeting.
3. The backfill material shall be as follows:
 - Top 12 inches, or full depth of gravel base in more recently constructed highways, shall be clean gravel conforming to gravel base specifications of the Code of the Town of Wells, Roads and Streets, Chapter 201.
 - All other backfill shall be equivalent to material removed, except that special backfill of suitable material may be used immediately around pipe, cable, conduit, etc. or to replace material, which cannot be compacted.
 - The permittee may, in the interest of good public relations, place a temporary bituminous mix for the trench surface. Final materials must be installed as soon as temperature falls within recommended range.
4. Backfill material shall be uniformly distributed in layers of not more than eight (8) inches and thoroughly compacted by use of approved mechanical compactors before successive layers are placed. Water shall be added when necessary to increase the moisture content of the backfill material in order to obtain adequate compaction. Puddling or jetting of backfill will not be allowed. Base materials for highways under construction shall be compacted in accordance with the applicable specifications.

5. Surplus material shall be removed from the site and the area shall be left in a clean presentable condition.
6. Permanent pavement shall be replaced by the permittee to the specification established in the Code of the Town of Wells, Chapter 201-14 (Roads and Streets, Street Openings).
7. Compliance with the terms and conditions of this permit shall be the responsibility of the permit holder. The Town of Wells Highway Department will not assume any liability for damages arising out of or resulting from a violation of the permit terms.
8. The Town of Wells Highway Department reserves the right, after notice in writing to the holder of the permit:
 - To provide such supervision and inspection as it may deem necessary.
 - If the excavation is improperly and unsatisfactorily backfilled, to re-excavate and backfill as may be necessary.
 - If the area is improperly and unsatisfactorily cleaned up, to clean up the area.
 - To charge the holder of the permit, the cost of all work performed under reservations (a, b, and c above); this charge will be in addition to the normal fee for opening the highway and will be included in the bill to the permit holder.
9. The post bond (where necessary) shall be for a duration of 18-months from the date of issuance of the permit to open the road. The bond may be in the form of an irrevocable letter of credit from a bank doing business in the State of Maine. The purpose of the bond is to be used by the Town if pavement settlement or cracking occurs in the permit area during the 18-month period. The Town Highway Commissioner shall give written notice with receipt to the bondholder prior to undertaking the repair work. A complete accounting of the cost to repair the opening will be sent in writing (with receipt) to the bond issuer along with the invoices for payment. The bond will be released the (10th) day following the 18-month period.
10. Proof of Insurance – for opening permits, applicants shall supply to the Town of Wells, Maine, a certificate of insurance listing the Town of Wells, Maine as an additionally named insured. Coverage shall be for no less than the following amounts:
 - General liability including comprehensive form, premises/operations, underground explosion and collapse hazard, products/completed operation, contractual independent contractors, broad form property damage and personal.
 - \$300,000 Bodily Injury and Property Damage each occurrence.
 - \$500,000 Bodily Injury and Property Damage Aggregate
 - \$300,000 Personal Injury Aggregate
 - Automobile liability including any auto, hired autos and non-owned autos - \$300,000 Bodily Injury and Property Damage combined.

- Workers Compensation and Employers' Liability
 - \$100,000 Each Accident
 - \$500,000 Disease-Policy Limit
 - \$100,000 Disease-Each Employee

**DRIVEWAY/HIGHWAY OPENING PERMIT
TOWN OF WELLS
HIGHWAY DEPARTMENT
208 SANFORD ROAD, WELLS, ME 04090**

(Clearly staked in field for inspection prior to construction).

FOR OFFICE USE ONLY: PERMIT #: _____ FEE PAID:\$_____

(PARCEL) MAP: _____ LOT: _____

NAME OF APPLICANT: _____

ADDRESS: _____

PHONE #: _____

DRIVEWAY/HIGHWAY # and NAME: _____

PROPERTY OWNER: _____

PURPOSE (DRIVEWAY/WATER SERVICE, ETC): _____

WORK TO BE DONE BY: _____

START DATE: _____ COMPLETION DATE: _____

UTILITIES:

- _____ Have you called DIG SAFE (1-888-258-0808 or 811 or www.call811.com)?
- _____ Are there any utilities in the area of this opening?
- _____ If yes, has utility been advised by written notice?

NOTICE TO APPLICANT:

- A person is to give a minimum of 48 hours notice, in writing, to utility companies or districts prior to excavating the highway; also when the opening is in a railroad right-of-way.
- A person is to file copies of all notices with the Wells Highway Department before any required permit is issued or certifies that such notices have been given.
- Utility companies or districts must give written or verbal notices to other utility companies or districts prior to the excavation.

Your endorsement to this form certifies to the Town of Wells Highway Department that utility companies and the sewer district have been notified in accordance with the requirements listed above.

Signature of Applicant: _____ Date: _____

FOR OFFICE USE CULVERT REQUIRED (SIZE) _____ SUBDIVISION OR SITE PLAN REFERENCE (D) _____ REVIEWED BY: _____, CODE ENFORCEMENT OFF./PLANNER APPROVED BY: _____, ASST. ROAD COMMISSIONER DATE OF APPROVAL: _____
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