

Ordinance No. 2024.01

An Ordinance Amending Chapter 273 of the Code of the Town of East Hampton Regarding Streets and Sidewalks Concerning Excavation of Streets; Traffic and Site Safety

WHEREAS, in the interest of protecting the safety of the workers performing work in or adjacent to public roadways, of protecting the safety of pedestrians and the motoring public in the Town of East Hampton, and of protecting the Town's infrastructure, the Town Council hereby adopts the following ordinance for performing work and protecting safety on and within streets, highways and sidewalks.

NOW THEREFORE, pursuant to Chapter II of the East Hampton Town Charter, and Conn. Gen. Statute Section 7-148(c)(6), the East Hampton Town Council hereby adopts the following Ordinance Concerning Excavation of Streets; Traffic and Site Safety.

Section 1: Chapter 273 of the Code of the Town of East Hampton is hereby amended by the creation and addition of Article VII regarding Excavation of Streets; Traffic and Site Safety as follows:

ARTICLE VII Excavation of Streets; Traffic and Site Safety

273-21 Permit Required.

No person, firm or corporation who is not the Town of East Hampton or its agencies or contractors shall make any excavation, ditch, digging or otherwise alter, open or remove the surface of or any material or improvements from any street, highway or sidewalk in the Town of East Hampton, except those under the jurisdiction of the State of Connecticut, until a permit has been obtained from the Director of Public Works or the Director's designee. Application for a permit shall be made on forms provided by the Director of Public Works and shall be accompanied by a sketch or drawing describing the work to be done. The sketch or drawing shall be in sufficient detail to facilitate an inspection of the excavation by Town personnel. The Director of Public Works may require details, plans and specifications and other engineering data to be submitted with the application as deemed necessary by the Director. The permit shall be obtained at least 72 hours prior to commencement of excavation activities except in bona fide emergency situations. In such case, the Public Works Director shall be notified prior to the excavation through the emergency services dispatcher and permits shall be obtained after the event.

273-22 Fees and Bond.

- A. Permits issued pursuant to this Article shall pay a required fee to the Town of East Hampton in an amount as determined from time to time by the Town Council.
- B. Applications for work as outlined in this Article shall include a required cash or surety bond issued by a Connecticut licensed surety company in an amount and in a form as determined by the Public Works Director, which bond shall be intended to ensure that work is undertaken

properly and which may be used by the Town to repair, replace or undertake work that is required of the permittee in the event the permittee does not properly perform the work.

273-23 Special Notice Required When Travel or Traffic Impacted.

- A. No person, firm or corporation who is not the State of Connecticut or the Town of East Hampton or their respective agencies shall perform any work in any street, highway or sidewalk in the Town of East Hampton that involves any impairment or deviation from the normal flow of traffic including use or blockage of any portion of the roadway or any area adjacent to the traveled roadway without notifying the Chief of Police or the Chief's designee as described herein and in accordance with procedures established by the Chief of Police.
- B. Any work performed as described in this Article shall be protected at all times in accordance with the Manual on Uniform Traffic Control Devices. Further, entities required to notify the Chief of Police under paragraph A of this Section shall be required to hire a police officer, if available, to provide additional protection of the site unless the Chief of Police, or the Chief's designee, deems the presence of a police officer unnecessary. The Chief of Police, or the Chief's designee, may also require such other additional protection as is deemed necessary in the sole discretion of the Chief of Police, or the Chief's designee, to allow for protection of the site and workers and the safe passage of vehicular and pedestrian traffic, including requiring additional flaggers, police officers or other measures, whenever there are road closings, lane closings or other restrictions to traffic. Only one half of the traveled portion of a street or highway should be excavated or blocked at a given time, permitting safe passage of vehicular traffic on the remaining half and no excavation, opening or blockage shall be made across the width of the entire street or highway in such a manner as to prohibit safe passage of vehicular traffic without the written permission of the Chief of Police or the Chief's designee. Notification shall be made to the Chief of Police or the Chief's designee in accordance with procedure at least 72 hours prior to commencement of excavation activities except in bona fide emergency situations. In such case, the Police Chief or the Chief's designee shall be notified prior to the excavation through the emergency services dispatcher.

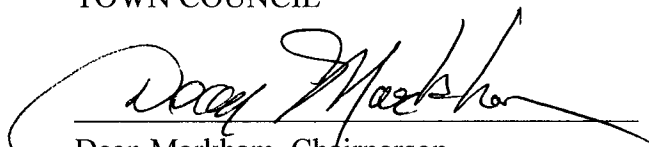
273-24 Continued Validity of Street Standards.

Nothing in this article shall be construed to modify or change any of the requirements set forth by the Town Planning And Zoning Commission, or the Town of East Hampton Street Standards, for the maintenance and repair of existing Town roads.

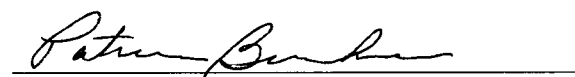
Section 2: Subject to the applicable provisions of the Town Charter, this ordinance is effective immediately upon its adoption and publication.

Approved this 27th day of February, 2024.

TOWN COUNCIL


Dean Markham, Chairperson

ATTEST


Patricia Burnham, Town Clerk