

UNDERGROUND FACILITY DAMAGE PREVENTION ORDINANCE

The intent of this rule is to provide access for excavating contractors, STOF employees, and members of the Tribal Community to provide notification to the STOF Public Works Department of their intent to engage in excavation or demolition operations.

This notification shall provide the STOF Public Works Department an opportunity to identify and locate Public Works Department underground facilities and provide an excavation permit for underground excavation. Under this notification system, Sunshine State One-Call of Florida, Inc. may or may not be required or permitted to locate or mark underground facilities.

It is the purpose of this rule to:

- (a) Aid the Tribal community by preventing injury to persons or property and the interruption of services resulting from damage to an underground facility caused by excavation or demolition operations.
- (b) Establish provisions to back charge excavating contractors for damage to STOF owned facilities when excavating without a STOF Public Works Department excavation permit.
- (c) The STOF Public Works Department requires a minimum of two (2) business days notification before issuing an excavation permit to excavating contractors, STOF employees, and members of the Tribal community. The STOF Public Works Department at its discretion may require more time to issue the excavation permit depending on the nature of the job.
- (d) Reserve to the STOF Public Works Department the power to regulate any of the following:
 - a. Require excavating contractors, STOF employees, and members of the Tribal community to contact operators of underground facilities to obtain permits from the STOF Public Works Department in order to identify underground facilities not owned by the STOF.
 - b. Require excavating contractors, STOF employees, and members of the Tribal community to contact the Public Works Department to obtain excavation permits from the STOF Public Works Department in order to identify underground facilities owned by the STOF.
 - c. Require pre-marking or marking.
- (e) Specify the types of paint or other marking devices that are used to identify underground facilities.
- (f) Require removal of marks.
 - a. Permit any Seminole Police Department law enforcement officer, local government code inspector, or code enforcement officer to enforce this rule without the need to incorporate the provisions of this rule into any STOF code or ordinance.

This ordinance may amend or void any permit issued by a state agency for placement or maintenance of facilities in its right-of-way.

Section 1: Definitions.

This document shall be known and may be cited as the “Seminole Tribe of Florida Underground Facility Damage Prevention Ordinance”. This Ordinance together with all the Exhibits and Appendices incorporated herein defines the requirements to be followed prior to ground disturbance activities. Ground disturbance is defined as any indentation, interruption, intrusion, excavation, construction, or other activity in the earth’s surface as a result of work being carried out that may result in the penetration of the ground. Examples of ground disturbance include any mechanical excavation, manual ground penetration (shovel, picks, etc.) more than 12 inch deep, and any mechanical scrapping activity.

For the purposes of this section, the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- A. “Applicant” is any person making written application to the Public Works Department for an excavation permit hereunder.
- B. “STOF PWD” is the Seminole Tribe of Florida Public Works Department.
- C. “Excavation work” is the excavation, demolition and/or other work permitted under an excavation permit and required to be performed under this document.
- D. “Permittee” is any person who has been granted and has in full force and effect an excavation permit issued hereunder.
- E. “Person” is any person, firm, partnership, association, corporation, company or organization of any kind.
- F. “Street” is any street, highway, sidewalk, alley, avenue, easement made to the city for public use, or other public way or public grounds in the city.
- G. “Plan” is any document detailing the location of the proposed excavation work.

Section 2: Permit Requirements.

It is unlawful for any person to dig up, break, excavate, tunnel, undermine or in any manner break up any street or to make or cause to be made any excavation in or under the surface of any street or right-of-way surface for any purpose or to place, deposit or leave upon any street any earth or other excavated material obstructing or tending to interfere with the free use of the street, unless such person shall first have obtained an excavation permit therefore from the STOF PWD as herein provided.

Section 3: Permit – Application – Contents and Plans Required.

No excavation permit shall be issued unless a written application (Ground Disturbance Permit Application Form) for the issuance of an excavation permit is submitted to the STOF PWD. The written application shall state the name and address of the applicant, the nature, location and purpose of the

excavation, the date of commencement and date of completion of the excavation, and other data as may reasonably be required by the STOF PWD. The application shall be accompanied by plans showing the extent of the proposed excavation work, the dimensions and elevations of both the existing ground prior to said excavation and of the proposed excavated surfaces, the location of the excavation work, and such other information as may be prescribed by the STOF PWD.

Section 4: Permit – Issuance Fees.

A permit fee shall be charged by the STOF PWD for the issuance of an excavation permit which shall be in addition to all other fees for permits or charges relative to any proposed construction work. The excavation permit fees shall be issued as follows:

- Permanent surface excavation: \$25.00.
- Traveled surface excavation: \$20.00.
- Non-Traveled surface excavation: \$10.00.

Section 5: Permit Posting Required Where.

It shall be the duty of any permittee hereunder to keep the permit posted in a conspicuous place at the site of the excavation work. If the permittee fails to post the permit, the STOF PWD will issue a “stop work order” on site and notify the Seminole Police Department to mandate the order until the contractor provides appropriate documentation.

Section 6: Notification.

The permittee shall be responsible for the notification of both Sunshine State One-Call of Florida, Inc. (811) and the Public Works Department, not less than 48 hours prior to start of excavation. The permittee /contractor will only proceed with excavation work during STOF PWD hours of operation (Monday through Friday, 8:00am to 5:00pm) after receipt of Excavation Permit from the STOF PWD. The STOF PWD will identify and clearly mark the location of their lines at no cost to the permittee. The following color codes are to be used for utility locations:

- Search zone perimeter – White
- Temporary Survey Markings – Pink
- Electrical – Red
- Non potable Water – Purple
- Potable Water – Blue
- Gas & Oil – Yellow
- Drainage/Sewers - Green
- Communication – Orange

Section 7: Permittee – Traffic Routing Responsibilities- Approval and Notification Required.

The permittee shall take appropriate measures to assure that, during the performance of the excavation work, traffic conditions are to remain as nearly normal as practicable and shall be maintained at all times so as to cause as little inconvenience as possible to the occupants of the abutting property and to the general public.

Section 8: Fire Equipment – Clearance Required.

The excavation work shall be performed and conducted so as not to interfere with access to fire stations and fire hydrants. Materials or obstructions shall not be placed within 15 feet of fire plugs. Passageways leading to fire escapes or firefighting equipment shall be kept free of piles of material or other obstructions.

Section 9: Traffic Protection Requirements.

The permittee shall erect and maintain suitable barriers to confine earth from trenches or other excavations. Such barriers shall encroach upon highways as little as possible. The permittee shall construct and maintain adequate and safe crossings over excavations and across highways under improvement to accommodate vehicular and pedestrian traffic at all street intersections. Vehicular crossings shall be constructed and maintained, and be of adequate size to accommodate vehicular traffic safely. Pedestrian crossings shall not be less than four feet in width and shall be provided with a railing as required. The permittee shall contract with the Seminole Police Department for a traffic officer when the roadway is a major thoroughfare or anytime traffic safety is an issue.

Section 10: Utility Facilities – Conditions for Moving and Protection Damage Required.

The permittee shall not interfere with any existing utility without the written consent of the STOF PWD and the utility company or person owning the utility. If it becomes necessary to remove an existing utility this shall be done by its owner. No utility owned by the STOF PWD shall be moved to accommodate the permittee unless the cost of such work be borne by the permittee. The cost of moving privately owned utilities shall be similarly borne by the permittee unless it makes other arrangements with the person owning the utility. The permittee shall support and protect all pipes, conduits, poles, wires, or other apparatus which may be in any way affected by the excavation work. The permittee shall do everything necessary to support, sustain, and protect this material under, over, along or across said work. In case any of said pipes, conduits, poles, wires, or apparatus should be damaged the STOF PWD shall be notified immediately. The damaged material shall be repaired by the utility owner and the expense of such repairs shall be charged to the permittee. The permittee shall be responsible for any damage done to any public property by reason of the breaking of any water pipes, sewer, gas pipe, electric conduit, or other utility. The permittee shall inform itself as to the existence and location of all underground utilities and protect the same against damage.

Section 11: Restoration - Adjoining Property Protection Requirements.

The permittee shall at all times and at his or its own expense preserve and protect from injury any adjoining property by providing proper foundations and taking other measures suitable for the purpose. Where in the protection of such property it is necessary to enter upon private property for the purpose of taking appropriate protective measures, the permittee shall obtain permission from the owner of such private property for such purpose. The permittee shall, at its own expense shore up and protect all buildings, walls, fences or other property likely to be damaged during the progress of the excavation work and shall be responsible for all damage to public or private property or roadways resulting from its failure properly to protect and carry out said work. Whenever it may be necessary for the permittee to trench through any lawn area, the sod shall be carefully cut and rolled and replaced after ditches have been backfilled as required in this chapter. All construction and maintenance work shall be done in a manner calculated to leave the lawn area clean of earth and debris and in a condition as nearly as possible to that which existed before such work began. The permittee shall not remove even temporarily any trees or shrubs which exist in parking strip areas or easements across private property without first having notified and obtained the consent of the property owner, or in the case of public property the appropriate department or official having control of such property.

Section 12: Sidewalk Excavations – Footbridge Required.

Any excavation made in any sidewalk shall be provided with a substantial and adequate footbridge over said excavation on the line of the sidewalk, which bridge shall be at least four feet wide and securely railed on each side so that foot passengers can pass over safely at all times; provided, however, sidewalks may be closed temporarily if an alternate pedestrian route has been approved by the STOF PWD prior to the start of the construction work.

Section 13: Protective Measures Generally – Barriers and Lights Required When – Removal Unlawful.

The permittee shall erect such fence, railing or barriers about the site of the excavation work as shall prevent danger to persons using the city streets or sidewalks, and such protective barriers shall be maintained until the work shall be completed or the danger removed. At twilight there shall be placed upon such location of excavation and upon any excavated materials or other obstructions to streets suitable and sufficient lights which shall be kept burning throughout the night during the maintenance of such obstructions. It is unlawful for anyone to remove or tear down the fence or railing or other protective barriers or any lights provided there for the protection of the public.

Section 14: Hazardous Nuisances Prohibited.

It is unlawful for the permittee to suffer or permit to remain unguarded at the place of excavation or opening any machinery, equipment or other device having the characteristics of an attractive nuisance likely to attract children and hazardous to their safety or health.

Section 15: Excavated Material – Maintenance Requirements – Hauling Required When.

All material excavated from trenches and piled adjacent to the trench or in any street shall be piled and maintained in such manner as not to endanger those working in the trench, pedestrians or users of the streets, and so that as little inconvenience as possible is caused to those using streets and adjoining property. Where the confines of the area being excavated are too narrow to permit the piling of excavated material beside the trench, such as might be the case in a narrow alley, the STOF PWD shall have the authority to require that the permittee haul the excavated material to a storage site and then re-haul it to the trench site at the time of backfilling. It shall be the permittee’s responsibility to secure the necessary permission and make all necessary arrangements for all required storage and disposal.

Section 16: Trench Restoration.

All materials and workmanship shall be in accordance with the STOF PWD Construction Detail Manual and this Ordinance:

UNDERGROUND UTILITY TRENCHING DETAIL

1. SCOPE

- 1.1 The work specified in this section consists of the excavation of utility trenches, trench backfill and furnishing and installing roadway sleeves.

2. TRENCH EXCAVATION AND BACKFILL

- 2.1 In addition to requirements listed below, the work shall comply with the Florida Department of Transportation Utility Accommodation Manual, current addition.
- 2.2 Trenching includes all excavation to install conduits and direct buried cables indicated on the drawings or specified herein. Prior to trenching excavation, proposed finished grades along the route of the trench shall be staked to ensure proper depths and adequate stub-up lengths of all wire and cable. During excavation, material for backfilling shall be piled back from the banks of the trench to avoid overloading and to prevent slides and cave-ins. All excavated materials not to be used for backfill shall be removed and disposed of by the Contractor. Grading shall be done to prevent surface water from flowing into trenches and other excavation and any water accumulating therein shall be removed by pumping. All excavation shall be made by open cut, except for any jack and bore under existing roadways as may be shown on the Drawings. No tunneling shall be done unless indicated on the drawings or unless written permission is received from the Engineer.
- 2.3 The bottom of the trenches shall be graded to provide uniform bearing and support for conduits and cables on undisturbed soil at every point along its entire length. Overdepths shall be backfilled with loose, granular, moist earth, tamped. Remove unstable soil that is not capable of supporting equipment or installation and replace with specified material for a minimum of 12” below invert of equipment or installation.

- 2.4 Prior to backfill, a warning tape shall be installed directly on top of sleeves only. Warning tape shall be 2" wide mylar tape with "Sleeve Buried Below" message. The trenches shall be backfilled with the excavated materials approved for backfilling, consisting of earth, loam, sandy clay, or sand, free from large clods of earth and stones, deposited in 6" layers and rammed until the installation has a cover of not less than the adjacent ground but not greater than 2" above existing ground. The backfilling shall be carried on simultaneously on both sides of the trench so that injurious pressures do not occur. The compaction of the filled trench shall be at least equal to that of the surrounding undisturbed material. Settling the backfill with water will not be permitted. Reopen any trenches not meeting compaction requirements or where settlement occurs, refill compact, and restore the surface to the grade and compaction indicated, mounded over and smoothed off.
- 2.5 Route of direct burial cables indicated on the drawings is approximate and shall be modified to conform to existing conditions. Reroute cable to avoid damage to existing trees. Coordinate actual routine with the Engineer and Utility Company. The work shall include clearing and grubbing of selected trees along the route of the trenching.

3. SLEEVES

3.1 General

- 3.1.1 All material shall be free from defects impairing strength and durability and be of the best commercial quality for the purpose specified. It shall have structural properties sufficient to safely sustain or withstand strains and stresses to which it is normally subjected and be true to detail. Sleeves shall be buried to the same depth as the utility trenches unless there is a conflict with other utilities within the right-of-way in which case the sleeves shall be buried to a greater depth so as not to conflict with existing utilities.

3.2 Sleeves

- 3.2.1 Pipe and fittings for sleeves shall be manufactured from virgin material and shall be PVC (SDR 26) 160 psi water pipe. All joints shall be compression type joints or glue type joints.
- 3.2.2 All irrigation sleeves shall have a minimum of 24" and a maximum of 36" of cover. The sleeves are to extend a minimum of 18" beyond the back of curb or edge of pavement.

3.3 Electrical Conduit

- 3.3.1 Pipe and fittings for electrical conduit shall be manufactured from virgin material and shall be PVC SCH 40 (grey) pipe. All joints shall be glue type.

3.4 Warning Tape

- 3.4.1 Warning tape shall be 2" wide mylar tape with "Sleeve Buried Below" message.

3.5 Compaction

- 3.5.1 Trench excavations for sleeves in rights-of-way shall be compacted to the same density as for water distribution and wastewater collection lines. Backfill compaction for each transverse crossing of the right-of-way shall be tested.

Section 17: Property Lines and Easements – Work Area Limitations.

Property lines and limits of easements shall be indicated on the plan of excavation submitted with the application for the excavation permit and it shall be the permittee’s responsibility to confine excavation work within these limits. Permittee has the option to use white spray paint to delineate the excavation site in lieu of submitting a plan.

Section 18: Cleanup Requirements – Costs.

As the excavation work progresses all streets and private properties shall be thoroughly cleaned of all rubbish, excess earth, rock and other debris resulting from such work. All cleanup operations at the location of such excavation shall be accomplished at the expense of the permittee and shall be completed to the satisfaction of the STOF PWD.

Section 19: Watercourses, Sewers and Drains – Protection And Replacement Requirements.

The permittee shall provide for the flow of all watercourses, sewers or drains intercepted during the excavation work and shall replace the same in as good condition as it found them or shall make such provisions for them as the STOF PWD may direct. The permittee shall not obstruct the gutter of any street but shall use all proper measures to provide for the free passage of surface water. The permittee shall make provision to take care of all surplus water, muck, silt, slickings or other runoff pumped from excavations or resulting from sluicing or other operations and shall be responsible for any damage resulting from its failure to do so.

Section 20: Plans and Drawings Of Subsurface Facilities “As-Built” Required When.

- A. At the discretion of STOF PWD, the permittee shall furnish the STOF PWD with “as-built” drawings upon completion of the permitted project.
- B. Users of subsurface street space shall furnish the STOF PWD with accurate drawings, plans and profiles showing the location and character of all underground structures being installed, including abandoned installations. Horizontal locations are to be referenced to street centerlines, as marked by survey monuments, and shall be accurate to a tolerance of plus or minus one foot. The depth of said utility or structure being installed may be referenced to the elevation of the street above said utility, with depths to the nearest one-half foot being shown at a minimum of 50-foot intervals along the location of said utility. Said maps shall be submitted to the STOF PWD within 20 days after new installations, changes or replacements are made.
- C. In the event that the permittee does not have qualified personnel to furnish the above “as-built” drawings, he shall advise the STOF PWD in order that necessary field measurements may be taken by the STOF PWD during construction and the maps be prepared by the STOF PWD. The

cost of said field inspection and measurement, and the preparing of the “as-built” maps, shall be at the expense of the permittee.

Section 21: Florida Department of Transportation Standard Specifications for Road and Bridge Construction.

The applicable provisions of Florida Department of Transportation Standard Specifications for Road and Bridge Construction in Division 2, Section 110 and 120 are incorporated herein and so fully stated and as may be updated from time to time.

Section 22: Violations – Penalty.

Any person, firm, or corporation violating the provisions of this document shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined in an amount not to exceed one thousand dollars in addition to any costs incurred for damages and/or repairs. Each day said violation is committed or permitted to continue shall constitute a separate offense and shall be punished as such hereafter.