



# OBSTRUCT/EXCAVATE PETITION

Lawrence, Massachusetts

[Ord. Sec. 12.12. et seq.]

PERMIT NO:

date: \_\_\_\_\_

**I.** Your petitioner (*name of property owner*) \_\_\_\_\_ respectfully represents that public necessity and convenience requires the granting and issuance of a permit to [excavate/obstruct] the (Street/Sidewalk) a distance of \_\_\_\_\_ ft. and width of \_\_\_\_\_ ft. for the period of \_\_\_\_\_ days beginning \_\_\_\_\_ for the purpose of \_\_\_\_\_

**Location:** \_\_\_\_\_

\*\*\*\*\*

**II.** Will the location of the work obstruct or reduce available public parking? [check one]: YES [  ]; NO [  ]  
*If YES, the following notification of the parking administrator/contractor must be completed:*

**PARKING ADMINISTRATOR/CONTRACTOR NOTIFICATION:** I hereby confirm notification that the location of the excavation work granted by this permit will result in the reduction or loss of parking spaces within the authority or control of the parking administrator/contractor for the City of Lawrence.

**Parking Administrator/Contractor for the City of Lawrence**

date

\*\*\*\*\*

**III. NOTICE OF EXCAVATION:** Has notice of excavation been provided to DIGSAFE and/or any other lawful notice as required by law? YES [  ] [NOTICE MUST be affirmed BEFORE a petition may issue].  
\*\*\*\*\*

(*name of contractor*)

(*name of owner/agent*)

(*address of contractor*)

(*address of owner/agent*)

(*tel. no. of contractor*)

(*tel. no. of owner/agent*)

**Bond Required for all Excavation Permits [Ord. Sec. 12.12.040]—amount of bond: \$ \_\_\_\_\_**

----- **CITY ENGINEER AUTHORIZATION** -----

Permit Granted ;  Permit Denied;

DIRECTOR OF ENGINEERING/CITY ENGINEER

DATE

----- **CITY CLERK BOND VERIFICATION** -----

*Staff must verify and complete all of the following [check each if completed]:*

Bond verified & on file;  Copy of Bond attached;  Permit issued; \_\_\_\_\_ / \_\_\_\_\_  
STAFF INITIALS DATE

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**\*WARNING TO EXCAVATION PETITIONERS: NOTICE TO THE ELECTRIC CO., GAS CO., TELEPHONE CO., AND ALL UTILITY SERVICES AS REQUIRED BY LAW MUST BE COMPLETED BEFORE THIS PETITION MAY BE ISSUED.** Contact DigSafe at <http://www.digsafe.com/index.php> or phone 811.

updated 06-21-16

## **City Ordinance Sec. 12.12.30 – RESTRICTIONS UPON ISSUANCE OF PERMITS:**

No petition for a permit which involves excavating in any street or way, including sidewalks, or the removal or the disturbing of any pavement, or other similar thing for any purpose whatever, shall be granted, except under the following restrictions and conditions and such other restrictions and conditions as the city council may think proper:

- A. All proposed excavations shall be saw cut prior to commencing work. Any irregular, broken, ragged or undermined edges shall be cut clean and straight before patching. All cuts made into sidewalks shall be saw cut prior to excavating. Any utility cut in a sidewalk will be patched within twenty-four (24) hours of completion of work and shall be of the same material that was excavated. If a cut occurs in the middle of a concrete sidewalk square or squares, then the entire square or squares must be replaced.
- B. All trenches are to be backfilled with "flowable fill" from a depth of one foot above the pipe(s) to within four inches below the surface grade. This will apply to all excavations within the street area.
- C. All cuts are to be infrared patched. The surface of the trench after compaction shall conform to the grade of the surrounding area.
- D. All boring holes, test squares or sampling squares shall be properly filled, tamped and sealed to maintain the integrity of the roadway.
- E. The location of any trench excavated by a public utility, or by a contractor working for said utility, or by a private contractor shall be thoroughly cleaned with any surplus material removed from the site and disposed of legally.
- F. Any contractor working on behalf of a home owner for repaving or creating a driveway must follow the guidelines set forth by the engineering department, zoning and building departments.
- G. All applicants shall be responsible for maintaining their trenches for a period of two years. If any settling or deterioration of the patch occurs within that time, the contractor is responsible to rectify the flaw. If the city must intervene and repair the patch, then the city will bill the contractor of record for its expense including but not limited to labor cost, material and equipment costs.
- H. All work shall be inspected and approved by an individual designated by the director of public works.

**(Ord. dated 9/2/08; prior code § 24-4)**

### **12.12.040 Bond required.**

No permit required for excavation in any street or way shall be granted or issued unless and until the applicant has filed with the city clerk a performance bond to enable the street division of the department of public works to complete any work not done to the satisfaction of the director of engineering of the city. The performance bond shall be in the amount of \$2,000.00 for ordinary excavations and in the amount of \$5,000.00 for extensive excavations. A blanket bond is acceptable under this section and shall be in the amount of \$10,000.00. (Ord. dated 8/17/99 § 12 (part); prior code § 24-5)



# CITY OF LAWRENCE LICENSE APPLICATION

## [TAX ASSESSMENT AND VERIFICATION FORM]

CITY ORDINANCE: 3.08.110 AND 5.04.080 & MGL C.40, SEC 57

### COMPLIANCE LIST

#### ALL PAYMENTS REQUIRED BEFORE ISSUANCE OF PERMITS OR LICENSES (Please print)

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Name of Applicant

---

Applicant's current Address

---

Applicant's Telephone No.

---

City

---

State, Zip

---

Property Owner's Name

---

Property Owner's Address

---

Owner's Telephone No.

---

City

---

State, Zip

**DO YOU OWN OTHER PROPERTIES IN THE CITY OF LAWRENCE?  YES  NO**  
*Please list below*

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**List of Applicant's Other Properties (Must attach Assessor's print out of all applicant's properties)**

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Address

---

Map and Lot

---

Address

---

Map and Lot

---

Address

---

Map and Lot

**More space needed** - See attached list. Attachment must be signed and dated and stamped by City departments

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**Applicant's Signature**

*I declare under the pains and penalties of Perjury that the statements made on this application are true and correct. I also certify that all information herein is true and complete. I understand that any misleading or incorrect statements render this application void and can be grounds for revocation of permit or license. I have not knowingly and willfully made false statements or included false documents in support of this application or permit*

### Tax Collector's Stamp

Tax Collector's Staff Name

Signature

Date

(Taxes  
Demolition  
Liens)

### Water Department's Stamp

Water Department's Staff Name

Signature

Date

(Water &  
Sewer)

### Inspectional Services' Stamp

Inspectional Services Staff Name

Signature

Date

(Trash  
Tickets,  
etc...)

This sign off list must be attached to all permits or license applications.

All sign off must include department stamps, signatures and dates.

**PHOTOCOPIES WILL NOT BE ACCEPTED.**

#### Lawrence City Ordinance 3.08.110- Payments due prior to issuance of licenses or permits.

A. The city shall deny any application for and shall revoke or suspend any license or permit, including renewals and transfers, issued by any board, officer or department for any person, corporation or business enterprise who has neglected or refused to pay any local taxes, fees, assessments, betterments or any other municipal charges, or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised on or about real estate whose owner has neglected or refused to pay any local taxes, fees, assessments, betterments or any other municipal charges.

B. This section shall be administered in accordance with General laws, chapter 40, section 57, as amended from time to time.

(Ord. dated 8/2/95: prior code § 25-11)

#### Lawrence City Ordinance 5.04.080 - Denial, revocation, or suspension of licenses and permits for failure to pay municipal taxes or charges.

A. The tax collector shall annually furnish to each department, board, commission or division, hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, corporation, or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges for not less than a 12-month period, and that such party has not filed in good faith a pending application for an abatement of such tax of a pending petition before the appellate tax board.

B. The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers of any party whose name appears on said list furnished to the licensing authority from the tax collector or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by any party whose name appears on said list furnished to the licensing authority from the tax collector, as required by applicable provisions of law, and the party is given a hearing, to be held not earlier than 14 days after said notice. Said list shall be *prima facie* evidence for denial, revocation or suspension of said license or permit to any party. The tax collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the licensing authority with respect to such license denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this section shall not be reissued or renewed until the license authority receives a certificate issued by the tax collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges, payable to the municipality as the date of issuance of said certificate. *Ord. dated 5/3/05*

**Massachusetts General Laws (MGL) Ch 40, Section 57.** - For full language of this law visit <http://www.malegislature.gov/Laws/Search>.

PERMIT NO: \_\_\_\_\_

**\*NOTICE: All work completed MUST be reviewed and approved by the Director of Engineering/City Engineer to avoid further action on the bond by or on behalf of the City of Lawrence to recover damages:**

-----**EXCAVATION REVIEW**-----

Location: \_\_\_\_\_

(name of contractor)

(name of owner/agent)

(address of contractor)

(address of owner/agent)

(tel. no. of contractor)

(tel. no. of owner/agent)

-----**APPROVAL**-----

The work authorized in accord with the above permit has been completed and complies with the provisions of City Ordinance sec. 12.12.30 and/or any applicable State Law in regard to repavement, patching, reconstruction, renovation, and/or any damage repair resulting from excavation, construction or demolition conducted in relation to the above permit.

date: \_\_\_\_\_

DIRECTOR OF ENGINEERING/CITY ENGINEER

-----**NOT APPROVED**-----

The work authorized in accord with the above permit has NOT been completed or otherwise does NOT comply with the provisions of City Ordinance Sec. 12.12.30 and/or any applicable State Law in regard to repavement, patching, construction, reconstruction, renovation, and/or any damage repair resulting from such excavation, construction or demolition conducted in relation to the above permit. The following remediation is recommended as being necessary/require [attached additional pages if necessary]:

\_\_\_\_\_

DIRECTOR OF ENGINEERING/CITY ENGINEER

date: \_\_\_\_\_

-----**STAFF ONLY**-----

Date: \_\_\_\_\_ Staff Initials \_\_\_\_\_ (check all that apply):

A copy of this notice has been provided "in hand" to \_\_\_\_\_

A copy of this notice has been mailed to the following entity/individual and address on  
[name]: \_\_\_\_\_ [date] \_\_\_\_\_