



208 Main Street North
PO Box 5
Belfield, ND 58622
auditor@cityofbelfield.com
701-575-4235

APPLICATION FOR EXCAVATION CITY STREETS/ALLEYS
\$50.00 Permit Fee + any other applicable costs

APPLICANT: _____

MAILING ADDRESS: _____

CITY, STATE, ZIP _____

DAYTIME PHONE: _____ EVENING PHONE: _____

PURPOSE OF EXCAVATION: _____

LOCATION OF EXCAVATION: _____

SIZE OF EXCAVATION: _____

LEGAL DESCRIPTION OF EXCAVATION: _____

IF EXCAVATION IS FOR INSTALLATION OF WATER OR SEWER THE CONTRACTOR MUST BE LICENSED IN NORTH DAKOTA BY THE ND STATE PLUMBING BOARD AS A WATER/SEWER CONTRACTOR OR A LICENSED PLUMBER

NAME OF ND LICENSED CONTRACTOR PERFORMING EXCAVATION: _____

NAME OF ND LICENSED PLUMBER/ SEWER-WATER CONTRACTOR PERFORMING THE TAP: _____

DATE OF EXCAVATION: _____

REQUIRED DOCUMENTATION MUST ACCOMPANY THIS APPLICATION WHICH INCLUDES:

ND Excavator License <input type="checkbox"/>			ND Sewer and Water Installer License <input type="checkbox"/>			ND Plumbing License <input type="checkbox"/>		
<input type="checkbox"/> Trenching \$50.00			<input type="checkbox"/> Water Tap			<input type="checkbox"/> Sewer Tap		
			Water Access Fees			Sewer Access Fees		
<input type="checkbox"/> 1inch		\$3000 .00						\$1000.00
<input type="checkbox"/> 1-1/2inch		\$3000 .00						\$1000.00
<input type="checkbox"/> 2inch		\$4000.00						\$2000.00
<input type="checkbox"/> 3inch		\$5000.00						\$3000.00
<input type="checkbox"/> 4inch		\$6000.00						\$4000.00
<input type="checkbox"/> 6 inch or larger		\$10000.00						\$6000.00
<input type="checkbox"/> Bond – Excavating (\$10,000.00)			<input type="checkbox"/> Bond – Plumbing (\$1,000.00)			<input type="checkbox"/> Copy of Liability Insurance		

I agree I have read and will abide by the regulations set forth in City Ordinances 3.0301-3.0308. I understand I am responsible to repair the street to City specifications at project completion at no cost to the City and will seek approval of the City Engineer to insure it was completed to City standards.

APPLICANT SIGNATURE: _____

DATE: _____

(DO NOT WRITE BELOW THIS LINE)

APPROVED: YES NO DATE OF APPROVAL: _____ BY: _____

AGREEMENT TO COMPLY
WITH CITY ORDINANCE PERTAINING TO EXCAVATIONS

3.0301 EXCAVATIONS--PERMITS: It shall be unlawful for any person, firm or corporation to tunnel under or to make any excavation in any street, alley or other public place in the City without having obtained a permit as herein required, or without complying with the provisions of this Article or in violation of or variance from the terms of any such permit.

3.0302 EXCAVATIONS--APPLICATION: Applications for such permits shall be made to the auditor, and shall describe the location of the intended excavation or tunnel the size thereof, the purpose thereof, and the person, firm or corporation doing the actual excavating work and the name of the person, firm or corporation for whom or which the work is being done, and shall contain an agreement that the applicant will comply with all ordinances and laws relating to the work to be done.

3.0303 EXCAVATIONS--FEES: The fee for such permits shall be thirty-five and 00/100 DOLLARS (\$35.00).

3.0304 EXCAVATIONS--BOND: Before an excavation permit as herein provided is issued, the applicant shall deposit with the City Auditor a surety bond in the amount of one thousand DOLLARS (\$1,000.00) payable to the City. The required surety bond must be:

- A. With good and sufficient surety;
- B. By a surety company authorized to transact business in the state;
- C. Satisfactory to the City Attorney in form and substance;
- D. Conditioned upon the permittee's compliance with this Article and to secure and hold the City and its officers harmless against any and all claims, judgments or other costs arising from the excavation and other work covered by the excavation permit or for which the City, the City Council or any city officer may be made liable by reason of any accident or injury to persons or property through the fault of the permittee either in not properly guarding the excavation or for any other entry resulting from the negligence of the permittee and further conditioned upon the permittee, filling, restoring and placing in a good and safe condition and in as near as may be to its original condition the area excavated within thirty (30) days of excavation, using a clean, coarse, sand material for backfill, and to maintain any street or any excavation that has been made for a period of twelve (12) months after such work shall have been completed, usual wear and tear excepted. If a settlement of the surface within such one (1) year period shall occur, it shall be deemed conclusive evidence of defective backfilling by the permittee. Nothing herein contained shall be construed to require the permittee to maintain any repairs to pavement made by the City, if such repairs shall prove defective. Recovery of such bond for any injury or accident shall not exhaust the bond, but it shall in its entirety cover any or all future damages, accidents or injuries during the excavation work for which it is given. In the event of any suit or claim against the City by reason of the negligence or default of the permittee, upon the City's given written notice to the permittee of such suit or claim, any final judgment against the City requiring it to pay for such damage, and such judgment shall be conclusive upon the permittee and his surety.

An annual bond may be given under this provision which shall remain in force one year conditioned as above, in the amount specified above and in other respects as specified above, but applicable as to all excavation work in streets by the principal and such bond during the term of one year from such date.

3.0305 EXCAVATIONS--MANNER OF: It shall be unlawful to make any such excavation or tunnel in any way contrary to or at variance with the terms of the permit thereof. Proper bracing shall be maintained to prevent the collapse of adjoining grounds; and in excavations the excavation shall not have anywhere below the surface any portion which extends beyond the opening at the surface.

No injury shall be done to any pipes, cables or conduits in the making of such excavations or tunnels; and notice shall be given to the persons maintaining any such pipes, cables or conduits or to the City department or officer charged with the care thereof, which are or may be endangered or affected by making of any such excavation or tunnel before such pipes, cables or conduits shall be disturbed.

No unnecessary damage or injury shall be done to any tree or shrub or the roots hereof.

3.0306 EXCAVATIONS--RESTORATION: Any person, firm or corporation making any excavation or tunnel in or under any public street, alley or other public place in the City shall restore the surface to its original condition if there is no pavement there. Refills shall be properly tampered down, and any bracing in such tunnel or excavation shall be left in the ground.

Any opening in a paved or improved portion of the street shall be repaired and the surface re-laid by the applicant, in compliance with the ordinances of the City and under the supervision of the City Engineer.

3.0307 EXCAVATIONS--SUPERVISION: The officer of streets or the City Engineer shall from time to time inspect or cause to be inspected, all excavations and tunnels being made in or under any public street, alley or other public place in the City to see to the enforcement of the provisions of this Article. Notice shall be given to him at least ten (10) hours before the work of refilling any such tunnel or excavation commences.

3.0308 EXCAVATION--PENALTY: Any person violating any of the provisions of this ordinance shall, upon conviction, be punished by a fine not to exceed \$500.00.

_____ **Initials of applicant**