

SCOTT COUNTY FISCAL COURT  
ORDINANCE NO. 13-02

AN ORDINANCE RELATED TO REGULATING  
THE RESTORATION OF STREET/ROAD  
CUTS/BORES DURING CONSTRUCTION

WHEREAS, the Scott County Fiscal Court is aware of the need to maintain the repair of streets/roads having been cut and/or bored during construction; and

WHEREAS, the Scott County Fiscal Court now desires to put into effect an ordinance for the regulation of same;

NOW THEREFORE, BE IT ORDAINED BY THE SCOTT COUNTY FISCAL COURT AS FOLLOWS:

SECTION ONE: APPLICATION AND BOND.

No contractor, whether a person or other legally organized entity, public utility or municipal agency, shall encroach, bore, tunnel, cut, excavate or otherwise disturb/remove any portion of a county maintained public street/road in Scott County, Kentucky, during the course of construction, whether for public or private purposes, until an application and bond are filed with the Scott County Fiscal Court.

The purpose of the application is to provide the County with sufficient information to enforce the provisions of this Ordinance. The purpose of the bond is to provide the means with which to make repairs in the event the terms of this Ordinance are not satisfied.

The application shall require a fee of \$25.00. The bond shall be in the amount of TWO THOUSAND DOLLARS (\$2,000.00) for each street/road cuts and/or bores up to two hundred (200) square feet. The bond for street/road cuts and/or bores in excess of two hundred (200) square feet shall be TWO THOUSAND DOLLARS (\$2,000.00) plus \$10.00 per each square foot in excess of two hundred (200). The measurement of the ditch/bore shall include an estimate of the additional width/length necessary to straighten the ditch sides/bore areas in preparation for repair required under SECTION THREE hereinbelow.

An acceptable bond shall consist of either cash, letter of credit issued by an FDIC-monitored lending institution, or performance bond issued by an insurance company licensed to conduct business in the Commonwealth of Kentucky.

SECTION TWO: INITIAL REPAIR.

Immediately after the construction is completed, the contractor shall fill the ditch to the surface with dense grade rock. Refilling the ditch with anything other than dense grade rock is

strictly prohibited. If the construction consists of a bore, then upon completion the area will be repaired with the same materials as first removed.

SECTION THREE: REPAIR PREPARATION.

Within ten (10) days of the completion of construction the ditch/bore shall be repaired. In preparation for the repair, the dense grade rock shall be removed from the ditch/bore to a level eight (8) inches below the street surface and the sides of the ditch/bore shall be straightened. Each side of the ditch/bore shall be widened by at least one (1') foot.

After the ditch/bore is prepared, concrete shall be poured into the ditch/bore to a level of two (2") inches below the street surface. Asphalt shall be installed in the amount necessary to raise the level of the repairs even with the street/road surface. In the event the construction area consists of a bore through soil only, the said area should be repaired utilizing the same materials as once removed/disturbed.

SECTION FOUR: FINAL REPAIR.

Final repair of the ditch/bore shall not be performed until the County Road Supervisor, or designee, inspects the repaired ditch/bore. Upon certification of the County Road Supervisor (or designee) that the repair has been successfully completed, the Scott County Fiscal Court shall release the bond.

SECTION FIVE: FORFEITURE

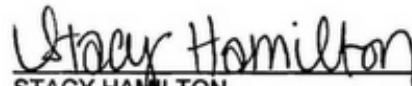
In the event the ditch/bore is not repaired as required above, the bond shall be forfeited to the County to pay for the required repairs. If the repair cost is greater than the amount of the bond, then the contractor shall reimburse the County for the balance.

SECTION SIX: EFFECTIVE DATE.

This Ordinance shall take effect upon passage and publication.

THE FOREGOING ORDINANCE was read for the first time on September 26, 2013 and read for the second time, passed and approved on October 11, 2013.

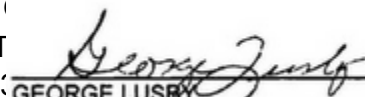
ATTESTED BY:

  
STACY HAMILTON  
SCOTT COUNTY FISCAL COURT CLERK

ATTESTED BY:

ADOPTED AND APPROVED:

STACY HANILT  
SCOTT COUNT  
sfc-ordinance-1:

  
GEORGE LUSBY  
SCOTT COUNTY JUDGE/EXECUTIVE