

Department of Public Works Trench Excavation Permitting & Fee Schedule
Approved May 5, 2009

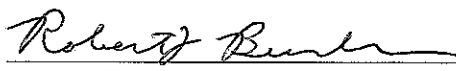
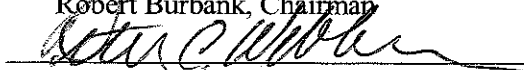
The Town of Rockport Public Works Commissioners authorizes the Director of Public Works to be the permitting authority for the Town of Rockport in issuing trench excavation permits within the Town of Rockport. No person shall excavate a trench either on private property or a public way without first obtaining a trench excavation permit from the Director of Public Works in accordance with 520 CMR 14.00 EXCAVATION AND TRENCH SAFETY M.G.L. c 82A.

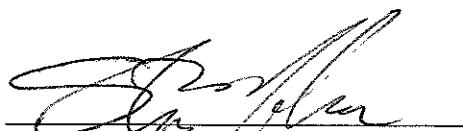
The fee for a trench permit shall be \$50.00 (fifty dollars) however the Director of Public Works may wave the fee if a highway road opening permit was issued and paid for relative to the same trench. Failure to obtain a trench permit prior to the start of excavation will result in the fee being increased to \$150.00 (one hundred fifty dollars).

If the Director of Public Works or the Director's designees identify a serious threat to public safety, he or she may order an immediate shutdown of the trench worksite. Conditions warranting the immediate shutdown of a trench include a fatality of serious injury to a member of the General Public; the failure to use effective protections for the General Public; the failure to obtain a permit; or any other condition that constitutes a serious threat to life, limb, or property of the General Public as determined by the Director of Public Works or the Director's designees. An appeal from the immediate shutdown may be made to the Director of Public Works, Department of Public Safety or the Division of Occupational Safety. The appeal must be made within 10 calendar days of the shutdown. The trench worksite may not operate again until such time as the entity ordering the shutdown has re-inspected the worksite and is satisfied that protections for the General Public are in use. This re-inspection must occur within two (2) business days of written notification by the excavator that it has complied with all the repairs and corrections ordered by the Director of Public Works or the Director's designees.

Where the Director of Public Works or the Director's designees determines that the threat to public safety may warrant the suspension or revocation of the trench permit, that entity may convene a hearing in accordance with the Massachusetts Administrative Procedures Act, M.G.L. c. 30A.

Approved by: BOARD OF DPW COMMISSIONERS


Robert Burbank, Chairman

Peter Webber


Stephen Vavak
May 5, 2009
Date approved