CITY OF ALBANY

DEPARTMENT OF GENERAL SERVICES

PERMIT APPLICATION AND INFORMATION FOR STREET & SIDEWALK OPENING PERMITS IN THE CITY OF ALBANY, NEW YORK

City of Albany Department of General Services
One Conners Boulevard
Albany, New York 12204-2514
(518) 434-2489

City of Albany – Department of General Services
Streets & Sidewalks Opening Permit
Instructions for Applicants

The attached document contains the following information relating to work within the City of Albany public right-of-way:

- Streets & Sidewalks Opening - Permit Application 6 Pages
- Streets & Sidewalks – Pavement Opening Ordinance 3 Pages
- Streets & Sidewalks – Rules & Regulations 4 Pages

Applicants must plan for adequate time for review and approval by the City of Albany Department of General Services, and any other involved agencies. Generally, the greater the scope of work, the longer the permit review and approval process will take. It is important that all applicants read and understand the provisions of the attached information and comply with these requirements. A telephone call to the Department of General Services well in advance of any scheduled work, can provide early guidance.

Individuals with questions about permit requirements or the application process may contact the Department of General Services, Monday through Friday, between 8:30 a.m. and 4:30 p.m. as follows:

City of Albany Department of General Services
One Conners Boulevard
Albany, New York 12204-2514
Telephone: (518) 434-2489

CITY OF ALBANY

DEPARTMENT OF GENERAL SERVICES

Utility Openings Ordinance
Section 23.81 Insurance

Before a permit is granted, the applicant shall provide a certificate of insurance of a duly authorized insurance company, in the sum of one million dollars ($1,000,000) designating the city as additional insured and evincing coverage to indemnify and save harmless the City of Albany from all loss, damage, cost, and liability whatever which the City may sustain or incur by reason of any accident, act or omission of the person to whom such permit is granted or any person employed by him while engaged in such employment and performing any of the work done under or pursuant to such permits.

The applicant shall also provide proof of coverage for compensation and disability insurance.

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Street and Sidewalk Opening Permit Application Checklist

The following checklist has been made available to ensure that the permits that are submitted to the Engineering Department are reviewed in a timely manner. Please make sure that the items on the checklist have been completed. Please also refer to the "Sample Drawing" enclosed. If the sketch that is being submitted does not have enough information on it (see checklist below), the application will not be approved.

First Page of Permit Application:

	Location of Work
	Purpose of Work
	Applicant and Contractor Name and Address
	Proposed Dimensions of Opening(s) **Street** – (Trench Width + 3 feet) x Length = Disturbance Square Footage **Sidewalk** – Number & Size of Panels = Disturbance Square Footage i.e.: (2) 5' x 5' panels = 50sqft of Disturbance Partial Panel Restorations will **NOT** be Permitted.
	Date and Length of time of opening(s)
	Signature

Street and Sidewalk Opening Sketch:

	Location (street address) of opening(s)
	Location of disturbance(s)
	Dimensions of disturbance(s)
	Dimensions referencing location of disturbance(s)
	Describe the type of work (diameter, material, length) of line
	Show nearest intersecting streets for reference
	Show location of site features (utility poles, hydrants, manholes, valves, overhead utilities, underground utilities, buildings, driveways, curbs, sidewalks, etc.)
	Show restoration details

Please be aware that work shall not be started until the permit has been approved and a permit has been issued.

Thank you for your cooperation.

Application No. _____

City of Albany – Streets & Sidewalks Opening Permit Application

Instructions: This application shall be completed in full, either typed or printed clearly in ink, and filed with the City of Albany Department of General Services, located at One Conners Boulevard, Albany, New York, 12204 (518-434-2489), together with the following items:

- Detailed sketch of work involved, including restoration (drawn to scale with dimensions)
- Certificate of Insurance, naming the City of Albany as an additional insured... _____
- Permit application fee = $ 65.00..... _____
- Opening fee = $ 5.00 per square foot of disturbance..... _____

Location (Street Address) of Opening: _____

Purpose of Opening: _____

Owner Name: _____ Telephone No: _____

Address: _____

Contractor's Name: _____ Telephone No: _____

Address: _____

Proposed Dimensions of Opening: Lawn _____

Street _____

Sidewalk _____

Date and Time when Opening is Desired: _____

Length of Time Opening will Remain Open: _____

All work shall be performed in accordance with the City of Albany Pavement Openings Ordinance and related Rules and Regulations, and shall be completed within 30 days of the date of permit issuance, or a new permit shall be obtained by the contractor.

I, the undersigned, understand that the permit which may be issued pursuant to this application is issued on the assumption that all of the representations made on this permit application are true and accurate. I have read and understand the provisions of the Pavement Openings Ordinance and related Rules and Regulations and shall comply with said requirements. I understand that if any of the information on this form is found to be untrue or inaccurate, or if the work initiated pursuant to a permit granted based on the representations made on this application is not completed in accordance with the representations made on this permit application, then the permit may be revoked without notice to myself, the contractor, or any other party.

Contractor's Signature _____ Date _____

Please Print Name _____

ANY WORK TO BE DONE IN A HISTORIC AREA MUST CONTACT THE HISTORIC ALBANY FOUNDATION AT 465-0876 PRIOR TO THE START OF ANY OPENING.

This permit application is hereby: APPROVED _____ DENIED _____

Signature _____ Date _____

Special Conditions: _____

_____

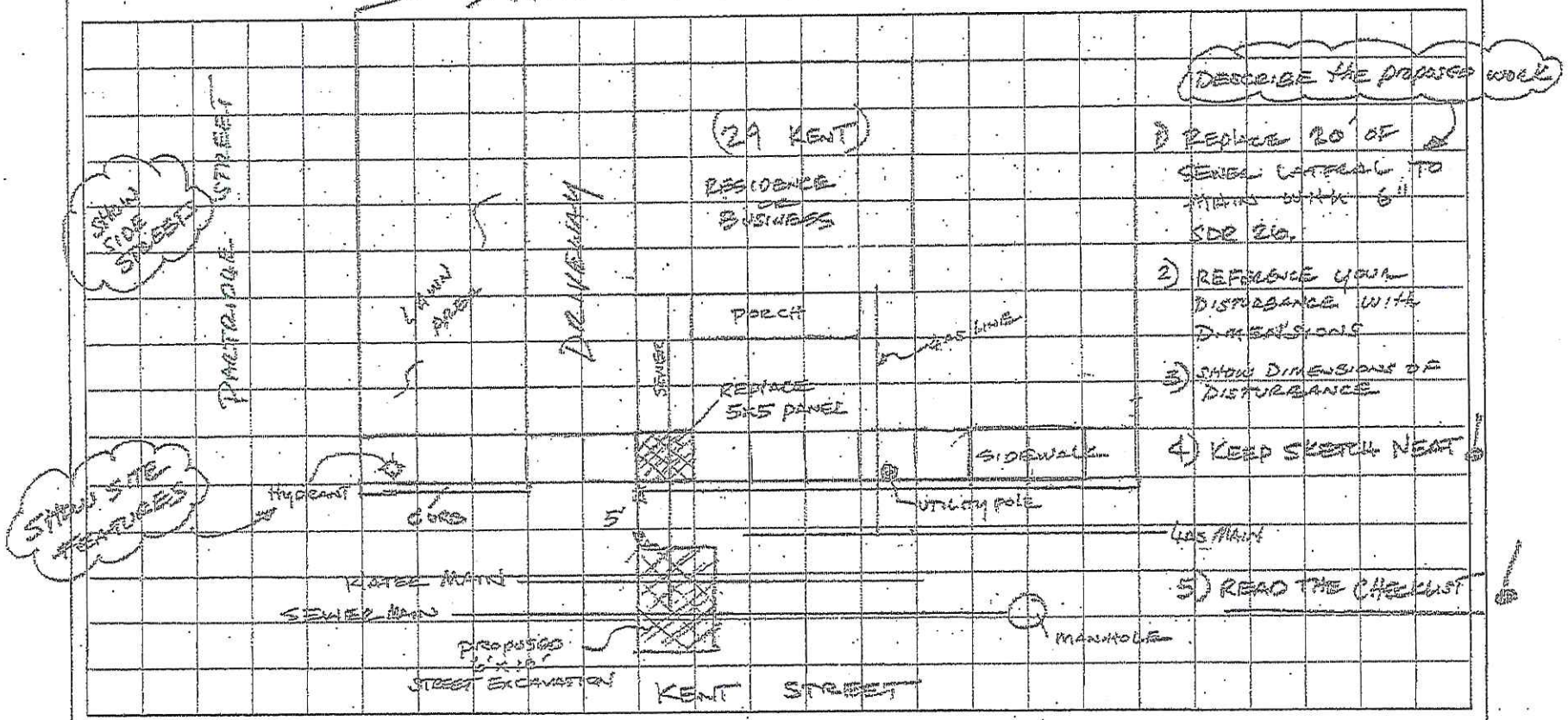
Street & Sidewalk Opening Sketch - City of Albany Department of General Services

Location (Street Address) of Work 29 KENT STREET
Application No. _____

This form shall be used, unless construction plans are required to be submitted. Provide an accurate scaled sketch of the proposed work, including:

1. Show location and limits of disturbance
2. Show location of site features including utility poles, hydrants, manholes, valves, overhead utilities, underground utilities, buildings, driveways, sidewalks, curbs, etc...
3. Show restoration details

EXAMPLE SKETCH



Street & Sidewalk Opening Sketch - City of Albany Department of General Services

Location (Street Address) of Work _____

Application No. _____

This form shall be used, unless construction plans are required to be submitted. Provide an accurate scaled sketch of the proposed work, including:

1. Show location and limits of disturbance
2. Show location of site features including utility poles, hydrants, manholes, valves, overhead utilities, underground utilities, buildings, driveways, sidewalks, curbs, etc...
3. Show restoration details

City of Albany – Streets & Sidewalks Opening Permit Review Form

City of Albany Engineering:

Comments:_____

_____

_____

_____

_____

_____

☐ Moratorium Check Completed ☐ Emergency Work

Plans Approved by: _____ Denied by: _____

City of Albany Water Department:

Comments:_____

_____

_____

_____

_____

_____

Plans Approved by: _____ Denied by: _____

City of Albany Department of General Services:

Comments:_____

_____

_____

_____

_____

_____

Plans Approved by: _____ Denied by: _____

Other if necessary: _____

Comments:_____

_____

Work Site Inspected by: _____ Date:_____

10/27/14

ARTICLE IV
Pavement Openings

Section 323-66. Permits required; fee, transferability.

A. No person, other than a duly authorized city officer or employee, shall make any openings or remove any pavements or sidewalks in any street, avenue, alley, curb or public place in the City of Albany without a permit from the Commissioner of the Department of General Services.

B. The fee for a permit shall be $65. The fee for the opening shall be $5 per square foot. **[Amended 5-19-2008 by Ord. No. 27.10.96]**

C. Permits issued hereunder shall not be transferable.

Section 323-67. Public notification of street closing.

A. Whenever a street or a portion of a street is to be closed to traffic or parking is to be prohibited for eight (8) or more hours on one (1) day or over a period of several days, the Commissioner may require, as a condition of the issuance of a permit under Section 323-66, a program of public notification which may include the following:

(1) Notification of scheduled work in the public service section of a local newspaper of general circulation in advance of the commencement of such work.

(2) Direct contact with residents on affected street through circular or leaflet.

(3) The publication of a display advertisement in at least one (1) local newspaper of general circulation.

(4) Signage at the work site.

B. Notification should include expected date and time of commencement and completion of work, hours that the street will be closed to traffic, the date and times temporary parking restrictions will be in effect and the availability of alternative routes, if applicable.

Section 323-68. Application for permits.

Application for a permit shall be made to the Commissioner of the Department of General Services on provided forms, which shall describe the location, number, purpose and size of the openings to be made, the kind of pavement or sidewalk to be removed, the time when such openings are desired and the length of time the openings will remain open, together with such other information regarding the work as the Commissioner of the Department of General Services may require.

Section 323-69. Insurance.

Before a permit is granted, the applicant shall provide a certificate of insurance of a duly authorized insurance company, in the sum of one million dollars ($1,000,000) designating The city as a named insured and evincing coverage to indemnify and save harmless the City of Albany from all loss, damage, cost and liability whatever which the city may sustain or incur by reason of any accident, act or omission of the person to whom such permit is granted or any person employed by him while engaged in such employment and performing any of the work done under or pursuant to such permits.

Section 323-70. Replacement of existing pavement.

In order to preserve and protect the historic and aesthetic integrity of the city's infrastructure, the permittee will replace any excavated road or sidewalk area with the same paving materials removed, and special emphasis shall be given to the replacement of granite block or bricks.

Section 323-71. Closing and repavement.

No pavement opening as authorized herein shall be closed without and until an inspection by the Commissioner of General Services or his designee. The closing and repavement shall thereafter be performed in a manner satisfactory to the Commissioner of General Services and in accordance with his specifications.

Section 323-72. Maintenance; subsequent repairs.

A. A person authorized to open a street or sidewalk pursuant to the provisions hereof (the permittee) shall have a continuing duty to keep such area free from settlement or other defects caused by said openings and shall, when necessary, repair and restore such area to a condition satisfactory to the Department of General Services.

B. If a permittee fails to properly repair within five (5) days after written notice thereof from the Department of General Services, the Department of General Services shall have such repairs made, which shall be charged against the permittee.

C. Nothing contained herein, however, shall prevent or preclude the Department of General Services from taking whatever steps may be necessary, with or without notice, when emergency or otherwise dangerous conditions exist.

Section 323-73. Fee exemption.

Permits shall be required for city paving, water and sewer operations and for private contractors operating in connection therewith; however, no permit application fee shall be charged.

Section 323-74. City-made openings; repairs.

When employees of the city make openings in the pavement, sidewalk, or other public places of the city and find defects in water services or house drains are responsible, the plumber employed to repair such defect shall make application and obtain permits for such openings in the same manner as is herein provided for other openings.

Section 323-75. Promulgation of rules and regulations.

The Commissioner of the Department of General Services is hereby authorized to promulgate and amend a fee schedule and additional rules, regulations and specifications necessary to supplement and effectuate the purpose and intent of this article.

Section 323-75.1. Capital improvements.

All persons, corporations or other entities proposing to install or repair pipe, cable, wire, conduit or other facilities in, on or over any street or sidewalk in the City of Albany or otherwise dig in or open the same shall be responsible for reviewing the city's list of streets and sidewalks scheduled for repair or reconstruction, to be prepared and maintained by the Department of General Services, and shall make provision to do any work, except emergency work, which requires the opening or use of any such street or sidewalk prior to or during the construction of the project undertaken by the city. No permit to use or open any street or sidewalk which would require resurfacing or reconstruction, except for emergency work as hereinafter provided, shall be issued to any such person within a five-year period after the completion of the construction of a capital project by the city relating to such street or sidewalk unless such person demonstrates that the need for the work could not have reasonably been anticipated prior to or during such construction. Not withstanding the foregoing, the Commissioner of General Services may issue a permit to open a street within such five-year period upon a finding of necessity therefore, subject to such conditions as the Commissioner may establish by rule, which shall include appropriate guarantees against the deterioration of the restored pavement and may include a higher fee structure.

Section 323-75.2. Pavement improperly re-laid.

Any pavement which has not been re-laid, repaired or reconstructed to the satisfaction of the Commissioner of General Services shall be repaired, reconstructed and properly re-laid within five days after service of and order by the Commissioner or his designee upon the person whom such pavement was removed or, if such removal was for the purpose of making a connection between any building or lot, or for any sewer or pipes in the street, or for constructing vaults, or otherwise improving any building or lot.

Section 323-76. Penalties for offenses.

Violations of any of the provisions hereof shall be punishable in accordance with Chapter 258, Penalties, of the Code of the City of Albany.

City of Albany Code – Chapter 323 Streets and Sidewalks
Article IV: Section 323-75 Promulgation of Rules and Regulations

In accordance with Section 323-75 of the Codes of the City of Albany, the Commissioner of the Department of General Services is authorized to promulgate and amend a fee schedule and additional rules, regulations, and specifications necessary to supplement and effectuate the purpose and intent of Article IV, Pavement Openings, of Chapter 323. The following fee schedule and additional rules, regulations, and specifications are hereby adopted.

1. If a street opening is performed without the necessary permit, a Stop Work Order will be issued. An additional fee of two hundred dollars ($200) is required to lift the Stop Work Order, and to allow the work to proceed under a properly issued permit. No additional permits shall be issued to the contractor or individual until such fee is paid. A second incident involving an unauthorized pavement opening shall require a one thousand dollar ($1,000) fee to lift the Stop Work Order.

2. No pavement openings shall be issued to, nor shall any additional pavement opening work be performed by, the permittee until all fees and fines have been paid in full.

3. No pavement openings shall be permitted between November 1st and December 31st for the following areas:

   a. The downtown business district, as defined by the C-3 zoning classification on the official City zoning map.

   b. The full length of Central Avenue, from Lark Street west to the City line.

   c. Lark Street, from Washington Avenue to Madison Avenue.

   d. Delaware Avenue, from Madison Avenue south to the City line.

   e. Madison Avenue, from Quail Street to Partridge Street, and from Main Avenue to South Allen Street.

   f. New Scotland Avenue, from Madison Avenue to Grove Street, and from West Lawrence Street to Manning Boulevard.

   g. Henry Johnson Boulevard, from Livingston Avenue to Sheridan Avenue.

4. Emergency Pavement Openings:

   The normal permitting requirements are hereby postponed when an emergency situation exists that requires an immediate response, repair, and pavement opening in order to protect public health, welfare, and safety. Gas line breaks, water line breaks and other such situations shall be considered emergencies for the purposes of this section. When a pavement opening is to be performed on an emergency basis, the following procedures shall be followed:

   a. The responsible entity shall fax a written notice of the emergency work, to the Department of General Services at (518) 427 – 7499, before any work begins. The fax shall identify the exact location by street address, nature of the emergency, and the work to be performed. If a fax cannot be transmitted for whatever reason, then the proposed work shall be called in at (518) 434-2489.

   b. The normal permitting requirements shall be complied with within 72 hours of commencement of work on the emergency pavement opening.

   c. If any emergency work is performed during November or December, in the areas described in Section 3 of these Rules and Regulations, then the work shall be performed at night and shall be completed in the shortest possible time, in order to avoid disrupting commercial activities.

5. Any concrete sidewalk disturbed shall be replaced / repaired with full concrete panels.

6. In the downtown area, as defined by the C-3 zoning classification on the official City zoning map, all work shall be performed only between the hours of 7:00 p.m. and 7:00 a.m.

7. For any street openings greater than fifty (50) feet in length, the following additional Rules and Regulations apply:

   a. Three (3) copies of a proposed project location plan shall be provided to the City for conceptual review and approval. The plan shall be to scale, and shall clearly show the location / routing of all proposed improvements.

   b. Upon approval by the City of the proposed project location plan, the permit applicant shall submit the following items to the City for review and approval:

      (1) Three (3) copies of drawings or plans that clearly indicate the proposed work drawn to a scale of 1-inch equals 20-feet for site plans, and 1-inch equals 40-feet for utility plans. The plan shall include the following minimum features:

         - All public right-of-way lines

- Sidewalks – existing and proposed
- Curb lines – existing and proposed
- Names of streets, intersecting streets, and street widths
- Survey monuments
- Driveways – existing and proposed
- Restoration details
- Overhead and underground utilities – existing and proposed
- Underground utility profiles – existing and proposed
- Grading – existing and proposed

(2) Maintenance and protection of traffic plan.

(3) Detailed construction schedule.

(4) Acknowledgment by the applicant, that upon receipt of the City's approval, the applicant will comply with the following conditions:

- The City of Albany Department of General Services – Phone Number (518) 434-CITY, shall be notified in writing a minimum of forty-eight (48) hours in advance of the construction date, to verify if any City plantings and/or landscaping will be effected by the project. The applicant shall be responsible for any damage to City of Albany property.

- The applicant will notify the City in writing, a minimum of forty-eight (48) hours in advance, of the following:

  - Preconstruction meeting – no construction shall begin prior to the preconstruction meeting.
  - Final completion for final inspection.

- A New York State Licensed Professional Engineer shall inspect and certify that all construction is in accordance with the City approved plans. Full time inspection may be required on projects requiring extensive and complex construction procedures, and this expense will be the responsibility of the Permit Applicant. A "Work Certification Form" (see attached) shall be completed by the applicant and shall be returned to the City within (30) days of the final completion date.

- A full set of as-built record drawings shall be provided to the City. When required by the permit document, mylar reproducible as-built drawings and/or as-built digital files shall also be provided.

- All permit holders making excavations in streets or public places shall guarantee their permanent restoration work for a period of

five (5) years from the City's date of acceptance of the permanent restoration. The permit holder shall be required to completely re-excavate, refill, and repave any permanent restoration that fails within the guaranteed period. The permit holder is responsible anytime in the future for the proper restoration of permit work found not in compliance with the City standards. Upon notification by the City, the Permit Holder shall completely re-excavate, refill, and repave the excavation.

(5) Any other public agency permits, if required.

(6) Any additional items specific to permit approval, as deemed necessary by the City.

c. A presentation of the project by the applicant, or their designated representative, at the City Development Review Meeting may be required, at the discretion of the City.

d. The minimum area of pavement restoration, including pavement markings, shall include the full travel lane width along the entire length of the street openings. Pavement restoration shall be in accordance with the City's pavement restoration standards, or as directed in writing by the City.

e. A spare conduit system for the City of Albany shall be furnished and installed in accordance with the City's Standard Specification for City Conduit (attached), at no cost to the City.

These rules are hereby approved and adopted, effective August 28, 2000.

Willard A. Bruce, Commissioner
Department of General Services