

ORDINANCE NO. 958

AN ORDINANCE PRESCRIBING STANDARDS AND REGULATIONS FOR STREET CUT PERMITTEES OR DEVELOPERS REGARDING STREET DAMAGE AND PROVIDING A PENALTY FOR VIOLATION THEREOF

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO:

Section 1. Chapter 11.24 is hereby added to the Golden Revised Ordinances of 1965, as follows:

CHAPTER 11.24

STREET DAMAGE

- 11.24.010 Street Damage
- 11.24.020 Protection of Paved Surfaces  
from Equipment Damage
- 11.24.030 Protection of Property
- 11.24.040 Noise, Dust, Debris, Hours of Work
- 11.24.050 Clean-Up
- 11.24.060 Penalty

11.24.010 Street Damage. In addition to any provisions or requirements imposed in this Title 11 upon any street cut permittee, (hereinafter "permittee"), or upon any developer whether or not said developer is operating subject to a developer's agreement, (hereinafter "developer"), the following provisions shall also apply.

11.24.020 Protection of Paved Surfaces from Equipment Damage. Backhoe equipment outriggers shall be fitted with rubber pads whenever outriggers are placed on any paved surface. Tracked vehicles with grousers are not permitted on paved surfaces unless specific precautions are taken to protect the surface. The permittee/developer shall be responsible for any damage caused to existing pavement, curb, gutter, or sidewalk, by the operation of any equipment including trucks, and, upon order of the city engineer shall repair such surfaces. Failure to do so will result in the use of the permittee/developer's performance guarantee by the City to repair any such damage.

11.24.030 Protection of Property. The permittee/developer shall protect from injury any adjoining property by providing adequate

support and taking other necessary measures. The permittee/developer shall, at his own expense, shore up and protect all buildings, walls, fences or other property likely to be damaged during the work, and shall be responsible for all damage to public or private property resulting from failure to properly protect and carry out work in the public way.

11.24.040 Noise, Dust, Debris, Hours of Work. Each permittee/developer shall conduct work in such manner as to avoid unnecessary inconvenience and annoyance to the general public and occupants of neighboring property. In the performance of the work, the permittee/developer shall take appropriate measures to reduce noise, dust, and unsightly debris. No work shall be done between the hours of ten p.m. and seven a.m., nor at any time on Sunday, except with the written permission of the City Engineer, or in case of an emergency.

11.24.050 Clean-Up. As the work progresses, all public rights-of-way and private property shall be thoroughly cleaned of all rubbish, excess dirt, rock, and other debris. All clean up operations shall be done at the expense of the permittee/developer.

11.24.060 Penalty. Any person, firm or corporation violating the provisions of this Chapter shall be subject to the penalty prescribed in Section 1.01.110, Violations - Penalties, of the Golden Revised Ordinances of 1965.

Section 2. Any ordinances or portions of ordinances in conflict herewith are hereby repealed.

Introduced, read and ordered published this 9th day of August, 1984.

Adopted, approved and ordered published this 23rd day of August, 1984.

\_\_\_\_\_  
Dr. Ruth A. Maurer  
Mayor

ATTEST:

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Sharon L. Bennetts  
City Clerk

Approved as to form:

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Russell J. Sindt  
City Attorney

I, Sharon L. Bennetts, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing ordinance was introduced on first reading and read at a regular meeting of the City Council of said city, held on the 9th day of August, 1984 and was published as a proposed ordinance in the Golden Transcript, legal newspaper, as the law directs seven days or more prior to its passage. A public hearing was held and on the 23rd day of August, 1984, the said proposed ordinance was read on second reading and passed by the City Council and ordered published in the aforesaid newspaper as the law directs.

Witness my hand and official seal of the City of Golden, Colorado, this 24th day of August, 1984.

Attest:

\_\_\_\_\_  
Sharon L. Bennetts  
City Clerk of the City of  
Golden, Colorado

(SEAL)