



City of Baker City

Public Works Department

Licensed Contractors and Plumbers Working in Alleys Policy Repairs – Installations - Excavation

Original Policy Date: December 15, 2021

1. Any water service lines or sewer lateral repairs or installations within the alley right-of-way must be performed by a licensed plumber. Excavation for such installations or repairs must be performed by a licensed contractor.
2. City crews shall perform any installations or repairs at city mainlines or within one foot of the mainlines unless otherwise approved by the Public Works Director.
3. If the excavation within the alley right of way will require a trench depth of more than five feet, or if the trench material is deemed unstable at a lesser depth, the licensed contractor performing the excavation must provide trench shoring or shielding meeting Oregon OSHA standards. The licensed contractor must submit an Application to Work in the City Right-of-Way through the public works department, at least two business days prior to such excavation occurring, unless such excavation is considered an emergency repair (the property is out of service) by the public works department.
4. The licensed plumber performing the installation/repair must obtain the appropriate plumbing permits through the Baker City Building Department prior to such work occurring within the alley right-of-way.
5. The licensed plumber and/or licensed contractor performing the excavation in the alley right-of-way is responsible for properly backfilling and compacting the trench area. Backfill material must be approved by the city. The trench area is required to be left in as good or better condition that it was prior to the excavation occurring. This may include surface restoration with crushed rock, if necessary, to minimize vehicles tracking mud.
6. If settling occurs within the trench area beyond what would be considered normal, within two years after the excavation, the contractor is responsible to address the settling as specified by the city.
7. No underground city utility shall be exposed or undermined during excavation unless prior authorization has been granted by the Public Works Director or his/her designee.
8. Any work done within one foot of any city mainline shall only be done by the public works department unless otherwise approved by the Public Works Director or his/her designee.

THE FOLLOWING ORDINANCE SECTIONS APPLY:

§ 10.99 - GENERAL PENALTY

- (A) Any person violating any provision of this code for which no other specific penalty is provided shall, upon conviction, be punished by **a fine not to exceed \$500**, subject to division (B) of this section.
- (B) Any person violating any provision of this code which is identical to a state statute containing a penalty shall, upon conviction, be punished by the penalty prescribed by state statute.
- (C) Each calendar date on which a violation occurs constitutes a separate violation.

§ 51.038 - CITY PERMISSION REQUIRED

- A) No person may occupy or encroach on a public right-of-way without the permission of the City.
- B) The City grants permission to use rights-of-way by franchises, licenses and permits. (Ord. 3112, passed 2-25-1997) Penalty, see § 51.999

§ 51.110 – CONFORMANCE

Whenever the surface of any street or alley in the City is broken for the purpose of reaching, laying, or repairing any sewer, gas, water or other pipe or main, it shall be the duty of the person, firm or corporation so digging to refill and repair the street or alley in such manner as to make it conform to the grade and quality of the surrounding street or alley surface. (Ord. 2398, passed 2-18-1957)

§ 51.111 - COUNCIL CAUSING REPAIR; COST

If any person, firm or corporation shall fail to comply with § 51.110, the City Council may cause the repair of the street or alley in question. The cost of the repair shall be paid by the person, firm or corporation failing to make the required repairs. (Ord. 2398, passed 2-18-1957) Penalty, see § 51.999