

SITE SERVICING ROAD OCCUPANCY PERMIT CONDITIONS

GENERAL:

The conditions for applicants seeking to construct underground site servicing works within the Corporation of the City of Welland Right-of-Way (ROW) are described herein.

1. Any person or persons intending to construct underground infrastructure within the Corporation of the City of Welland (City) ROW must first apply for a Site Servicing Road Occupancy Permit.
2. The permit must be in the name of the person(s) (Contractor) performing the work, not the name of the person(s) for whom the work is being performed (Developer/Private Property Owner).
3. A Site Servicing Road Occupancy Permit will be required for, but not limited to the following types of underground construction works within the municipal ROW:
 - i. Installation/Replacement/Decommissioning of a Water Service to a private property;
 - ii. Installation/Replacement/Decommissioning of a Sanitary Service to a private property;
 - iii. Installation/Replacement/Decommissioning of a Storm Service to a private property; and
 - iv. Extension of any Municipal Mainline Sewer and/or Watermain including all required appurtenances.
 - v. Daylighting Infrastructure.

For construction of other underground infrastructure, contact the City's Construction Supervisor at 905-735-1700 extension 2180 or 2203 or email construction@welland.ca.

4. Required Documents to be provided prior to permit approval:
 - i. A dimensioned drawing approved as part of a site plan application and/or building permit illustrating the location of the work with reference to property lines, existing municipal mainline sewers and watermain and all applicable invert elevations.
 - ii. Certificate of Insurance confirming \$5,000,000.00 Commercial General Liability and \$2,000,000.00 Automobile Liability insurance coverage valid for the duration of the work within the municipal ROW. The Corporation of the City of Welland shall be listed as additionally insured on the certificate attesting to Commercial General Liability coverage.
 - iii. A WSIB clearance certificate, valid for the duration of the work within the municipal ROW.

- iv. A security deposit is required and will be held for the duration of work. The deposit will be in an amount reflecting the costs estimated to restore granular trenches, asphalt surfaces, concrete curb and gutter, sidewalk and/or applicable landscaping to preconstruction condition. The City's Construction Supervisor will determine the security deposit amount based on the work proposed. The deposit will be returned upon confirmation that all conditions related to the permit have been satisfied.

- 5. **ROAD/LANE CLOSURE(S) IS NOT PERMITTED.** Submission of a Traffic Management Plan and a Traffic Control Plan for review and approval by the City prior to the start of construction.

The applicant must provide a Traffic Control Plan in accordance to the "Ontario Traffic Manual" (OTM) Book 7. The applicant agrees to accept full responsibility and expense to supply, maintain, clean and place all barricades, warning signs, delineators, flashing lights and other safety warning devices necessary for the protection of the public and the safe operation of the work being preformed. The City has the right to request additional signage/barricades as required.

The City's Construction Inspector may stop work if the contractor fails to comply with the approved plan.

Rescheduling of work shall not be permitted until the contractor has met the City's requirements and reassignment of the City's Construction Inspector will be subject to availability.

- 6. Two-way traffic must always be maintained with lane shifting and opened nightly with the proper signage.
- 7. All works must be designed and constructed in accordance with the City of Welland Municipal Standards, the latest revision of the Niagara Peninsula Standard Contract Documents and all applicable legislation including the Ministry of Labour Occupational Health & Safety Act.
- 8. Any work taking place on the Regional road allowance will require an additional permit from the Niagara Region. Inspection of works may need to be coordinated between the City and the Niagara Region.
- 9. It shall be the applicant's responsibility to request locates or other location information to determine the location and provide safeguards for all utilities, both public and private, in accordance with current regulations, prior to the start of construction.

The City's Construction Inspector may stop work if the locates or excavation result in a requirement to change the approved scope of work.

Rescheduling of work shall not be permitted until the contractor has met the City's requirements and reassignment of the City's Construction Inspector will be subject to availability.

10. The contractor must include root protection for all existing trees within the municipal ROW. The City of Welland's Forestry Foreman shall be notified of any tree trimming or tree disruption prior to construction. The City's Forestry Foreman can be contacted at 905-735-1700 extension 3021. When a contractor has failed to provide coordination with forestry, the City may issue a stop work order.
11. Upon receipt of the permit, and prior to construction, the contractor shall contact the City's Construction Supervisor to schedule a preconstruction meeting with the City's Construction Inspector. At the preconstruction meeting, the City's Inspector shall review all proposed materials and appurtenances, as well as proposed installation means and methods. The Site Servicing Road Occupancy Permit may be revoked should the applicant fail to comply with this requirement.

The City will endeavour to meet the contractor's schedule, however, please be advised staff is unionized and the Collective Agreement will be followed. Inspection for site servicing is on a first come first serve basis.

12. The applicant shall notify the City's Construction Supervisor a minimum of **5 business days** prior to the start of construction to ensure a Construction Inspector is available. The Site Servicing Road Occupancy Permit may be revoked should the applicant fail to comply with this requirement.

The City will endeavour to meet the contractor's schedule, however, this may not always be possible during peak volumes. Inspection for site servicing is on a first come first serve basis.

13. Once a City Construction Inspector is available and scheduled, the City's Construction Inspector shall inspect all materials and appurtenances prior to their installation. The City's Construction Inspector may stop work at any time should the Contractor fail to use approved materials and appurtenances, fail to follow safe work practices, fail to perform quality workmanship, fail to follow City specifications and standards, or for any other reason deemed necessary by the City's Construction Inspector.

Rescheduling of work shall not be permitted until the contractor has met the City's requirements and reassignment of the City's Construction Inspector will be subject to availability.

14. Infrastructure installations shall NOT be backfilled until such time that the City's Construction Inspector has reviewed the workmanship. Failure to comply with this condition will require the applicant to excavate the infrastructure for construction review by City staff.

15. **A City of Welland Certified Water Operator (CWO) must be present to directly supervise ALL work completed on any drinking water system and only a City CWO shall operate valves on that system. All disconnection/reconnection of water services must be completed under the supervision of a City CWO.**

- i. The City of Welland's Standard Operating Procedure for Watermain Distribution Repair & Installation can be found on the website; <https://www.welland.ca/Engineering/index.asp>
16. **ONLY** City of Welland forces will tap water services greater than 50mm (2"). An additional prepaid tapping fee will be required and arranged with Public Works in accordance with By-law 2020-148. A minimum 72 hours' notice will be required to schedule City forces. A backflow preventor rental/set up fee and water consumption fee will be arranged and billed through Public Works when applicable.
 - i. A Testing Schedule Plan as stipulated in the Niagara Peninsula Standard Contract Documents will be required for all water services greater than 50mm (2") and must be submitted to the City for review and approval prior to construction.
17. The applicant shall protect and maintain all service crossings including but not limited to sanitary sewer laterals, water services, storm sewer leads, existing water/sewer mains etc. All damaged services shall be repaired by the applicant to original condition or better and to the satisfaction of the City of Welland at no cost to the City. The City's Construction Inspector and/or Construction Supervisor is to be notified immediately if any damage to services occurs.
18. The applicant is responsible for keeping the roads within the limits of construction graded and free of potholes. The construction site must be checked each night prior to the contractor leaving for the day, any potholes found must be filled at that time unless directed otherwise by City staff.
19. All final restorations must be completed on the City's ROW within 30 days from the start of construction and must be completed to the City of Welland Municipal Standards prior to the release of the security deposit. At the discretion of the City of Welland, restorations not completed within 30 days will be completed by City forces or a City retained contractor. Any costs incurred by the City, plus a markup of 15%, will be deducted from the security deposit.
20. Securities for mainline extensions will be collected and held for a period of 1 year from the date of construction completion.
21. The permit becomes null and void if the applicant should fail to meet the requirements of the permit, in which case, the City Engineer or designate shall take any action deemed necessary to reinstate the site for public protection at the expense of the applicant. In all cases the decision of the City Engineer is final. Any costs incurred by the City, plus a markup of 15%, will be deducted from the security deposit.
22. The permit is valid for 60 days from the date of the City's authorization signature. After 60 days the permit is null and void and additional fees and securities may be required.
23. Applicant shall submit all required forms in accordance with OPSS.MUNI 180 for all material removed from



the municipal right-of-way prior to receipt of permit approval. Applicant shall submit form 180-6 in accordance with OPSS.MUNI 180, as well as haulage records in accordance with the Ontario Environment Industry Association (ONEIA) template, for all material removed from the municipal right-of-way prior to the release of securities.

24. The Contractor shall comply with and conform to all statutes, applicable laws, by-laws, regulations, requirements, ordinances, notices, rulings, orders, directives and policies of the municipal, provincial and federal governments and any other lawful authority and all court orders, judgments and declarations of a court of competent jurisdiction (collectively referred to as the "Applicable Laws"), applicable to the Work to be provided by, and the undertakings and obligations of, the Contractor under this Permit.

I/ We hereby acknowledge that I have read and understand the general conditions as provided above. Please provide initials in the box provided.	Initials:
---	-----------