

Policies-JackieLaw

Town of North Andover Policies & Procedures

Subject: Trench Excavation Permit (Jackie's Law)

1. Purpose

The purpose of this policy is to establish guidelines to follow in issuing a trench excavation permit pursuant to G.L. c. 82A §1 and 520 CMR 7.00 et seq.(as amended) and 520 CMR 14.00.

2. Definitions

Trench excavation permit: A permit required to be obtained by excavators before commencing excavation to provide protection to the general public when trenches are unattended.

Trench: An excavation which is narrow in relation to its length, made below the surface ground in excess of 3 feet below grade, and the depth of which is, in general, greater than the width, but the width of the trench, as measured at the bottom, is no greater than 15 feet.

General public: All natural persons not engaged in the creation of a trench.

3. Scope

This policy applies to all trench excavations in the Town of North Andover both on public and private property.

4. Policy

4.1 When an excavator applies to the DPW for a water service connection permit or a sewer service connection permit, the DPW will require said excavator to apply for a trench excavation permit, which the DPW will issue.

4.2 When a builder applies for a building permit and the work will include trench work (for example the trenching for a septic system, storm drain, etc.), the building department will require the builder to apply for a trench excavation permit which the Building Dept. will issue.

4.3 Excavator must provide a certificate of insurance with general liability coverage of \$100,000 per person and \$300,000 per claim and must name the Town as additionally insured.

4.4 The fee for a trench excavation permit will be \$100. Must be in the form of a certified check made out to the Town of North Andover. A personnel or company check is acceptable but permit will not be in effect until check clears.

4.5 Inspections by the permitting authority are not required, however the permitting authority shall enforce the permit.

4.6 In cases of emergencies, trench work may start without a permit, but the excavator must obtain a permit upon the first reasonable opportunity.

4.7 The trench excavation permit applies only after the trench workers have left the trench site.

4.8 Excavators can comply with the trench excavation permit by exercising any of the following options:

4.8.1 Have a worker in attendance at the trench.

4.8.2 Install a barrier (fence) around the trench.

4.8.3 Cover the trench with a $\frac{1}{4}$ inch thick steel plate or equivalent.

4.8.4 Backfill the trench.

4.9 Town of North Andover municipal departments are required to comply with the trench excavation permit.

4.10 The Town's permit application is attached.

END OF POLICY