

MEMO

To: All companies whose work closes a street or reduces available traffic lanes
From: Brian Schadt, City Engineer/Deputy Director Public Works
Date: March 22, 2016
Re: Street Closures and Lane Reductions

Last year the City of Davenport implemented a street closure and lane reduction notification process to support interagency coordination, aid emergency response activities, facilitate efficient solid waste collection and timely rerouting of bus transportation, and promote public health and safety and an informed Council and citizenry. The process was loosely adhered to by the community responsible for street closures and lane reductions.

As of Monday, March 28th, our street closure and lane reduction notification process is changing. The process will no longer be considered a notification process, but a permit application process, in accordance with City Code Chapter 12.40, titled Barricades, which has existed in City Code since 1984. An excerpt from the Code follows. The entire code can be found on pages 3-5 of this correspondence.

12.40.005. Permit required. *Prior to creating an obstruction, by placing an object or by excavating, in any street, alley, or other public ground, a person must obtain a permit from the engineering division of public works ("engineering") in accordance with this chapter or, when also applicable, Section 12.36.090. The person must also obtain and implement instructions relating to proper signing and barricading requirements from the traffic engineering division of public works ("traffic engineering"). The fee for a permit issued under this chapter shall be ten dollars. (Ord. 2002-400 § 5: Ord. 96-310 § 1 (part): Ord. 84-134 § 1).*

The new process to be implemented effective March 28th will support compliance with City Code, achieve necessary public and health and safety needs and promote interagency coordination. The ten dollar permit fee applies to excavation permits obtained only, a second or additional fee will not be collected.

New Street Closure and Lane Reduction Application Process

- At least seventy-two (72) hours* in advance of proposed street closure and/or lane reduction, visit www.cityofdavenportiowa.com/roadwork and submit the application for the street closure, lane reduction and any associated detours. Please keep in mind the seventy-two hour timeframe is a minimum, when possible requests can and should be submitted seven (7) to ten (10) days in advance.

Be sure to fully complete the application. Agencies will have an opportunity to upload proposed detour, street closure and lane reduction plans. For more complex projects this is suggested to aid timely processing of the request.

*In the case of emergencies, the application link should be submitted as soon as practical and/or when the closure, lane reduction or detour is being placed, but no later than 8:00am on the following work day.

- Work cannot commence until the Street Closure and Lane Reduction Application is received. Once you receive the authorization to place the street closure, lane reduction and/or detour you are responsible to properly place and maintain the traffic plan.
- All street closures and lane reductions are to be removed immediately after the work is complete. The City is to be notified the street(s) have been re-opened by visiting www.cityofdavenportiowa.com/roadopen and reporting the status upon completion of the work.

Failure to follow this process and established policies will result in fines ranging from \$100 to \$500 each day a violation exists. The City has the right to, and will issue, a Notice and Order to Stop Work when necessary. Repeated failure to comply with this procedure may impact the ability to receive approval for subsequent applications for street closures and lane reductions.

Please be reminded, the party placing street closures and lane reductions is responsible to provide notification to affected parties verbally or in writing, unless otherwise impacted by an emergency repair need, at least twenty-four (24) hours in advance of the closure or lane reduction.

Any unnecessary street closures and lane reductions will be removed and the roadway reopened at the permittees expense.

Only authorized City representatives shall remove city directional or regulatory signage and/or devices. Any individual(s) who removes city signage without authorization may be fined.

If you have any questions or concerns, please feel free to contact Brian Schadt, City Engineer/Deputy Director of Public Works at 563.326.7923.

Chapter 12.40 BARRICADES

Sections:

- 12.40.005 Permit required.**
- 12.40.010 Barricades, lighting and signing required.**
- 12.40.015 Emergencies.**
- 12.40.020 Completely or partially closing streets for construction or excavation.**
- 12.40.030 Street Fund—Money paid and collected.**
- 12.40.040 Certain duties of the engineering division.**
- 12.40.050 Certain duties of police officers.**
- 12.40.060 Violations—Penalty.**

12.40.005 Permit required.

Prior to creating an obstruction, by placing an object or by excavating, in any street, alley, or other public ground, a person must obtain a permit from the engineering division of public works ("engineering") in accordance with this chapter or, when also applicable, Section 12.36.090. The person must also obtain and implement instructions relating to proper signing and barricading requirements from the traffic engineering division of public works ("traffic engineering"). The fee for a permit issued under this chapter shall be ten dollars. (Ord. 2002-400 § 5; Ord. 96-310 § 1 (part); Ord. 84-134 § 1).

12.40.010 Barricades, lighting and signing required.

Any person, firm or corporation who places obstructions or makes excavation in any public street, highway, avenue, alley or public easement, whether with or without the proper permit from the engineering division or the city, shall properly barricade, light and sign the same as directed by the transportation division. All barricades, lighting and signs shall comply with the current edition of the Iowa Manual on Uniform Traffic Control Devices for Streets and Highways.

Such barricades, lights and signs shall be placed prior to the obstruction being placed in the public right-of-way and prior to any excavation and shall remain in place until the obstruction is removed or the person's responsibilities for backfilling the excavation have been completed in accordance with Chapter 12.32 of the city code. It shall be the responsibility of the person to keep the barricades and signs properly placed and maintained at all times. (Ord. 96-310 § 1 (part); Ord. 84-134 § 2; prior code § 35-61).

12.40.015 Emergencies.

In cases of emergency, when waiting for permits or barricading instructions may be harmful to the public health or welfare, the permit shall be obtained at 8:00 a.m. on the following work day. The person, firm or corporation responsible for the obstruction or excavation shall properly barricade, light and sign the same in accordance with the current edition of the Iowa Manual on Uniform Traffic Control Devices for Streets and Highways. (Ord. 96-310 § 1 (part); Ord. 84-134 § 3).

12.40.020 Completely or partially closing streets for construction or excavation.

A. If it is necessary to partially or completely close any street for the purpose of construction or excavation thereof, the contractor shall:

1. Seventy-two hours prior to partially or completely closing a street, notify the transportation division of the closing to enable the division to establish detour routes and specify the proper signs to be placed by the contractor. All signs must comply with the Iowa Manual on Uniform Traffic Control Devices for Streets and

Highways.

2. Twenty-four hours prior to completely closing the street, notify local residents of the closing, in order to allow them to arrange other temporary ingress and egress to their property, and to remove automobiles, etc., from their parking area.

3. For purposes of this section "partially close" means closing one or more of the driving lanes.

B. In either case of partially or completely closing the streets, the contractor shall reopen the streets immediately upon completion of his work. The contractor shall also notify the transportation division when the street is again open to traffic for normal conditions.

C. Whenever there is a partial closing or complete closing of a major street or when other traffic conditions warrant, the city administrator may order the contractor to work on twenty-four-hour basis until the work is completed. If work is to be suspended for more than twenty-four hours pending delivery of repair parts or equipment, or for any other reason, the contractor shall notify the city administrator. If work is suspended for more than twenty-four hours pending delivery of repair parts, or equipment or for any other reason, the city administrator may order the contractor to fill the excavation and remove all barricades until work can be expeditiously completed.

D. Violations of this section are punishable as provided in Section 1.20.010. Each day that a violation is permitted to continue after notice and order to take corrective action is given by the city administrator shall constitute a separate offense. (Ord. 96-310 § 1 (part); Ord. 81-336: prior code § 35-62).

12.40.030 Street fund - Money paid and collected.

All money paid by the city under the provisions of this chapter shall be paid from the street fund and all money collected under this chapter shall be repaid to the fund from which paid. (Prior code § 35-63).

12.40.040 Certain duties of the engineering division.

In addition to the duties otherwise prescribed by ordinance, it is the duty of engineering in issuing permits for temporary obstructions in streets or public places to define the dimensions of such obstruction; to set the duration of the permit; and to issue said permit upon the condition that the site will be signed and barricaded in accordance with the instructions from traffic engineering. Such barricades and signs shall be placed prior to the obstruction being placed in the public right-of-way and prior to any excavation. The contractor shall ensure that barricades and signs remain in place until the obstruction is removed or the contractor's responsibilities for backfilling the excavation have been completed in accordance with Chapter 12.32. All signs and barricades must comply with the Iowa Manual on Uniform Traffic Control Devices. The permittee shall defend and hold harmless the city against any loss, cost, or damage resulting from or related to the permittee's obstruction of the right-of-way. The bond taken by the city in connection with the issuance of the permit shall be conditioned upon keeping such barricades and signs properly maintained while the right-of-way is obstructed by the object or excavation. The bond shall be used to pay any sum which the city pays on account of damages growing out of the obstruction of the public right-of-way. (Ord. 2002-400 § 6: Ord. 96-310 § 1 (part); Ord. 84-134 § 4: prior code § 35-65).

12.40.050 Certain duties of police officers.

Any police officer who, in the course of his duty observes any obstruction, building material placed in the street or sidewalk, sidewalk torn up, excavation or any other obstruction dangerous to public travel, unguarded and without proper barricades, lights or signs placed thereon, shall cause the said obstruction, excavation or sidewalk to be at once properly guarded by either compelling the owner of said material or obstruction or the person building such sidewalk or placing such material or obstruction or excavation in the street, to place

thereon proper barricades, lights and signs or shall place or cause to be placed by the public works department of the city, proper barricades, lights and signs as soon as is practicable. The police officer shall also notify the transportation division immediately of the violation, in order to insure that corrective measures are taken. (Ord. 96-310 § 1 (part); Ord. 84-134 § 5: prior code § 35-64).

12.40.060 Violation - Penalty.

Any person violating a provision of this chapter may be charged with a simple misdemeanor and upon conviction thereof be punished in accordance with Chapter 1.20. The violator may alternatively be charged with a municipal infraction and fined as follows:

Type I Violations

1st offense—\$250; 2nd—\$350; 3rd & Subsequent—\$500

No permit

Failure to Comply with Iowa Manual on Uniform Traffic Control Devices or Instructions from Traffic Engineering

Type II Violation

1st Offense—\$100; 2nd—\$150; 3rd & Subsequent—\$200

Expired Permit (for first 7 days after expiration date only, subsequently fined as No Permit)

The city may seek other administrative, legal; or equitable relief in addition to or in lieu of the fine.

Each day a violation exists may be charged as a separate offense.

(Ord. 2002-400 § 7: Ord. 96-310 § 1 (part): prior code § 35-64).