



City Of Petal Building Department

101 West Eighth Avenue
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Petal, MS 39465
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PERMIT APPLICATION FOR BORING, DIGGING, EXCAVATING AND TRENCHING WITHIN THE CITY OF PETAL, MISSISSIPPI

PERMITEE/UTILITY COMPANY: _____

PERMITEE ADDRESS: _____
City State Zip

CONTACT PERSON: _____ PHONE: _____

CONTRACTOR: _____

CONTRACTOR ADDRESS: _____
City State Zip

CONTACT PERSON: _____ PHONE: _____

ON-SITE PROJECT MANAGER: _____ PHONE: _____

Please give a detailed description of the size, type, nature and extent of the work or construction to be done:

Please provide the exact location and approximate area where the anticipated work or construction is expected to occur; all site details must be included.

Please list the requested dates of commencement and completion of the work: _____

Please see the required plan requirements: For new construction, an applicant must submit two (2) sets of project construction plans at the time of filing an application for a permit. A digital submission is also required and can be emailed to: building@cityofpetal.com. The plans will be promptly reviewed and a permit will be issued or denied within five (5) working days after the application has been properly submitted along with the plans.

Please be sure to review the attached ordinance, adopted January 18, 2022. All requirements are listed in the ordinance including the bond and insurance requirements. ONCE ISSUED, PERMITS ARE NON-TRANSFERABLE.

ORDINANCE 2022 (145)

AN ORDINANCE PROHIBITING BORING, DIGGING, EXCAVATING AND TRENCHING WITHIN THE CITY OF PETAL, MISSISSIPPI, WITHOUT OBTAINING A PERMIT

WHEREAS, it is in the best interest of the City of Petal and its citizens' health, safety and welfare that the City of Petal Code of Ordinances provide restrictions governing boring, digging, excavating and trenching within the city's right-of-ways.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI, AS FOLLOWS:

SECTION 1: ADOPTION OF ORDINANCE

For the purpose of adopting uniform regulations governing boring, digging, excavating and trenching within the City of Petal, Mississippi's right-of-ways, the following regulations shall take effect immediately upon adoption:

It shall be unlawful for any person to open, excavate, cut, trench, bore, tunnel, undermine or dig or cause to do so in, on, or under any public street, public place or right-of-way for the installation of for any other purpose without having first obtained a permit from the Petal Building Department in accordance with the provisions of this article and all work performed which relates to such activities shall be performed in compliance with the provisions hereof provided.

PERMIT APPLICATION.

- (1) No permit shall be issued without a completed application obtained from the Petal Building Department. The application should include the following:
 - (a) A detailed description of the size, type, nature and extent of the work or construction to be done.
 - (b) The exact location and approximate area where the anticipated work or construction is expected to occur; all site details must be included.
 - (c) The name and residential or business address and telephone number for the permittee and/or the sub-contractor.
 - (d) The name, address and telephone number for the project manager or person to oversee and/or manage the anticipated work or construction.
 - (e) The requested dates of commencement and completion of the work.
- (2) For new construction, an applicant must submit two (2) sets of project construction plans at the time of filing an application for a permit. **A digital submission is also required and can be emailed to: building@cityofpetal.com.** The plans will be promptly reviewed and a permit will be issued or denied within five (5) working days after the application has been properly submitted along with the plans.
- (3) Upon issuance of the permit, the applicant must request a utility location from Mississippi One-Call Program (811) which meets requirements of notification. The applicant is responsible for locating all utilities within the area of the proposed work or construction and any damage to other utilities shall be at the sole cost and expense of the applicant or permittee, as the case may be.
- (4) No permit shall be transferable.

EMERGENCY EXEMPTION.

- (1) To be determined by the Petal Public Works Department and/or the Petal Building Department. Emergency exemptions are granted for emergency situations, such as gas leaks or other emergencies that may occur after hours, on weekends or holidays when City offices are closed. The applicant shall be required to obtain the necessary permits and provide documents after the emergency.

FEES.

- (1) Openings or excavations up to one hundred (100) feet – Two hundred dollars (\$200.00);
- (2) Openings or excavations over one hundred (100) feet – Two dollars (\$2.00) per foot for every foot over one hundred (100) feet plus one hundred dollars (\$100).

COMMENCEMENT & COMPLETION OF WORK AFTER PERMIT ISSUANCE.

- (1) Upon issuance of the permit, the following procedures shall be required:
 - (a) The applicant or permittee must contact the proper authorities - Petal Police Department, Petal School District, Petal Public Works and all other agencies that may be affected by the road and/or lane closures.
 - (b) Prior to commencement of any work, the applicant or permittee must contact the City of Petal Public Works Department and arrange for a Water Operator to be on site.
 - (c) If work will take place near a storm drainage or gravity sewer, the applicant or permittee shall certify that there have been no cross bores by videoing before and after the bore and must be submitted to the Petal Building Department on either a jump drive or disk at the expense of the applicant or permittee.
 - (d) All bores/digs must maintain a minimum of ten (10) feet depth unless the permit states otherwise. Also, all bore/digs must use a casing to help protect their line unless the permit states otherwise.
 - (e) The permittee/applicant/on site project manager must have a copy of the permit on the job site at all times.
 - (f) Upon completion of work, the applicant/permittee must contact the Petal Public Works Department to schedule a final inspection of all work performed.
 - (g) Failure to comply with any conditions of this ordinance shall cause for revocation of permit and shall constitute a violation of this ordinance. The City reserves the right to make emergency repairs if deemed required for public safety. The cost of those repairs shall be borne by the permit holder and will be taken from the performance bond if not paid.

BOND REQUIRED.

Every person obtaining a permit shall at the time of receiving the same, make, execute and deliver to the permitting office of the Petal Building Department, a good and sufficient bond, to cover the costs of replacing permanent pavement and any improvements, payable to the city with a surety company doing business in the state as surety thereon, in such amount as the city engineer or his/her designee may require, not less than five thousand dollars (\$5,000.00) nor more than ten thousand dollars (\$10,000.00). Such bond shall be utilized to

repair any necessary damage or lack of sufficient or adequate resurfacing and/or restoration and any surplus shall be returned upon final inspection by the Petal Public Works Department. The applicant or permittee may provide proof of insurance of at least five hundred thousand dollars (\$500,000.00) in lieu of a bond.

RESURFACING, RESTORATION.

Any areas affected by work or construction shall be restored within five (5) business days of completion of work or construction on the property or areas affected thereby so that each such property or area shall, to the best extent possible, be placed in the same or better condition it was in prior to the commencement of work or construction. The permittee shall be responsible for cracks, sinking pavement or settling of same for a period of two (2) years from the date of repair.

VIOLATIONS AND PENALTIES.

Any person violating any of the provisions of this ordinance shall be guilty of a misdemeanor. Each person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed or permitted. Upon conviction of any such violation, such person shall be punished by a fine of not more than one thousand dollars (\$1,000.00) for each violation. A second violation within a twelve (12) month period shall be punishable by a fine of not more than three thousand dollars (\$3,000) for each violation. Each subsequent violation thereafter, shall be punishable by a fine of not more than five thousand dollars (\$5,000) for each violation.

APPEAL.

A person directly and adversely affected by a decision made in accordance with this ordinance may appeal the decision by filing a written notice of appeal with the Mayor and Board of Aldermen within ten (10) days of the decision/action being appealed. The notice must state the grounds for appeal. The appeal shall be heard by the Mayor and Board of Aldermen within forty-five (45) days from the date the notice of appeal is received.

SECTION 2:

This Ordinance shall take effect and be in full effect and force immediately upon adoption.

NOW THEREFORE, be it ordained by the Mayor and Board of Aldermen of the City of Petal, Mississippi, that this ordinance be adopted to preserve the general public health, safety, and welfare of the people of the City of Petal, Mississippi as stated above.

The above and foregoing Ordinance having been reduced to writing, the same was introduced and read, and a vote was taken thereon, first section by section, and then upon the ordinance as a whole with the following results:

Those present and voting "AYE" and in favor of the passage, adoption, and approval of Section 1 & 2 of the foregoing Ordinance:

Those present and voting "AYE" and in favor of the adoption of the foregoing ordinance as a whole:

WHEREUPON, the above and foregoing Ordinance be, and the same is hereby passed, adopted and approved on this the day of January 18TH, A.D., 2022.