

**TOWN OF BEAUX ARTS VILLAGE
ORDINANCE NO. 423**

**AN ORDINANCE OF THE TOWN OF BEAUX ARTS VILLAGE, WASHINGTON
AMENDING BAV MC 12.20.040 REGULATIONS FOR COMMERCIAL USES OF
PAVED AND UNPAVED PORTIONS OF THE TOWN RIGHTS OF WAY**

WHEREAS, the Town of Beaux Arts Village (“the Town”) owns and maintains the Town’s rights of way for vehicular and pedestrian traffic, as well as for utility placement and operations; and

WHEREAS, the Town requires a Commercial Right of Way Use Permit to use or disturb a Town right of way as outlined in BAV MC 12.20.030 Commercial ROW use permit required; and

WHEREAS, the Town wishes to amend the regulations governing use of the paved and unpaved portions of the Town rights of way to include standards for restoring the paved portion of any road disturbed by work covered by a Commercial Right of Way Use Permit;
NOW THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF BEAUX ARTS VILLAGE, WASHINGTON, AS FOLLOWS:

Section 1. Beaux Arts Village Municipal Code Chapter 12.20.040, Applications for commercial ROW use permits, is hereby amended to read as follows:

12.20.010. Applications for Commercial ROW Use Permits.

- (1) Every application for a commercial ROW use permit shall include the location of the proposed right-of-way use, a description of the use, the planned duration of the use, applicant contact information, and all other information that may be required by the Town to complete a review of the proposed work. The permit shall be issued for a period not to exceed 30 days.
- (2) Certain applicants, such as franchised utilities, may need ongoing access to the right-of-way for a short period of time to construct, install, operate or maintain their facilities over a short period of time. To limit the need to issue a new permit for each use, the Town may issue a 180-day commercial ROW use permit for multiple uses.
- (3) Upon completing the permitted work, the permit holder shall restore the paved and unpaved portions of the right of way disturbed by the permitted work to their original condition. In addition, all restorations of the paved portion shall conform to the standards depicted in the applicable drawing(s) incorporated herein by reference as Exhibit A, including:

- “RD-01 Asphalt Pavement Patching and Restoration Details Transverse Cut”
- “RD-02 Asphalt Pavement Section of Longitudinal Cut”
- “RD-03 Asphalt Pavement Patching and Restoration Details Longitudinal Cut”
- “RD-04 Asphalt Pavement Restoration for Window Cuts”
- “RD-05 Asphalt Pavement Utility Adjustment Detail”

- (4) The Town may revoke or suspend any commercial ROW use permit whenever:
- (a) The work or activity does not proceed according to the plans as approved, conditions of approval, or the requirements of this ordinance.
 - (b) The permit holder has made a misrepresentation of a material fact in applying for the permit.
 - (c) The progress or condition of the approved work or activity indicates that it is or will be inadequate to protect the public and adjoining property or the street or utilities in the street, or any excavation or fill endangers or will endanger the public, the adjoining property or street, or utilities in the street.
- (5) The duration of each commercial ROW use permit shall be specified on the permit and may not be renewed or extended. If the permit holder needs continued use of the right-of-way after the permit has expired, the permit holder must apply for a new permit.

Section 2. Beaux Arts Village Municipal Code Chapter 12.20 and Ordinance No. 387 as hereby amended are hereby ratified and confirmed and continued in full force and effect.

Section 3. Validity. If any section, paragraph, clause, or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Council hereby declares that it would have passed this ordinance and each section, paragraph, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, paragraphs, clauses, or phrases subsequently may be found by competent authority to be unconstitutional or invalid.

Section 4. Effective Date. This ordinance shall take effect five (5) days after its passage and publication.

PASSED BY THE COUNCIL OF THE TOWN OF BEAUX ARTS VILLAGE on this 14th day of June, 2016 and signed in authentication of its passage.



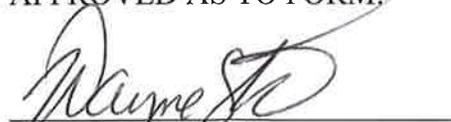
Richard Leider, Mayor

ATTEST:

APPROVED AS TO FORM:



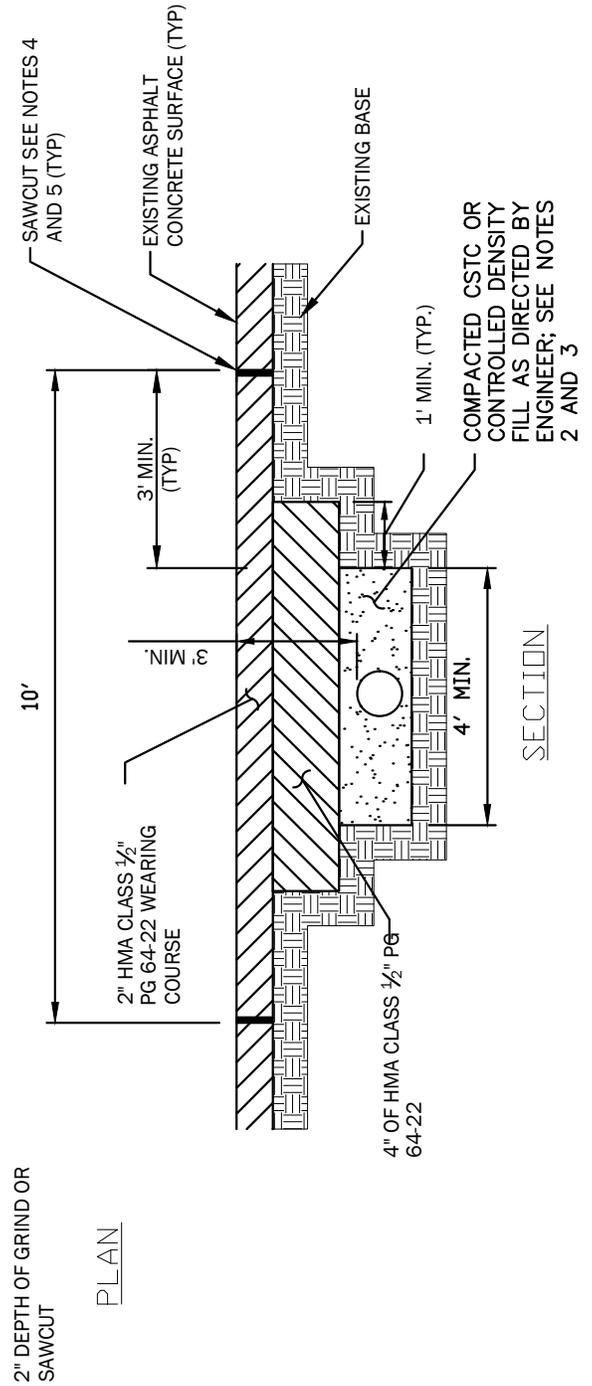
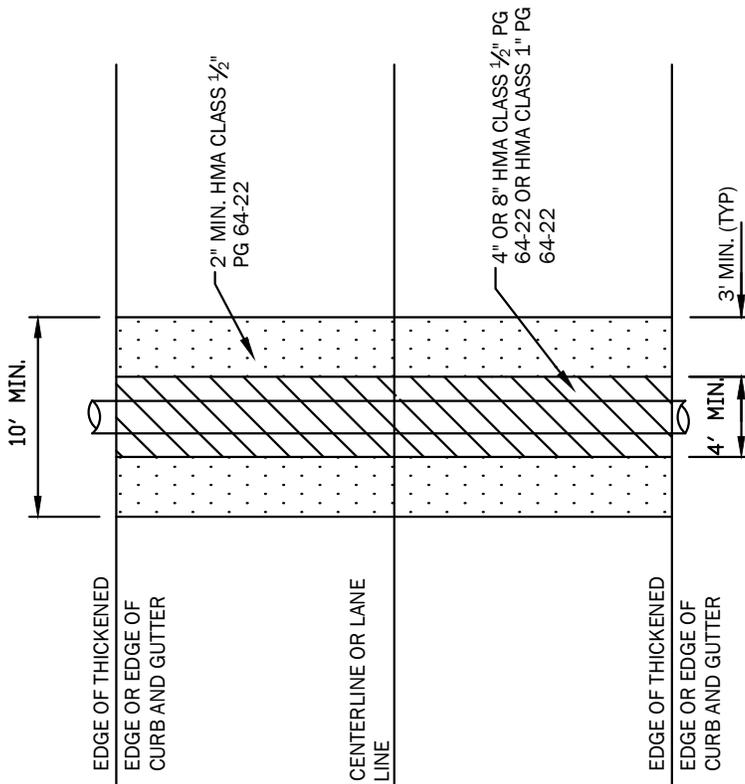
Sue Ann Spens, Clerk-Treasurer



Wayne Stewart, Town Attorney

NOTES:

1. ASPHALT CONCRETE MIX SHALL BE HMA CLASS 1/2" OR CLASS 1" PG 64-22.
2. ALL TRENCH BACKFILL SHALL BE CSTC OR CONTROLLED DENSITY FILL.
3. CONTROLLED DENSITY FILL SHALL MEET WSDOT STANDARDS AS STATED IN 2-09.3(1)E OF THE STANDARD SPECIFICATIONS FOR ROAD, BRIDGE AND MUNICIPAL CONSTRUCTION MANUAL M/41-10, CURRENT EDITION.
4. ALL SAW CUTS SHALL BE VERTICAL AND IN STRAIGHT LINES AS DIRECTED BY ENGINEER.
5. TACK ASPHALT FACES OF SAW CUTS AND SEAL SAW CUTS WITH PG 64-22 OIL.
6. HOT MIX ASPHALT SHALL BE A MINIMUM OF 6 INCHES THICK ON LOCAL STREETS.
7. PAVING FABRIC (IF FOUND) WILL NOT REQUIRE REPLACEMENT.

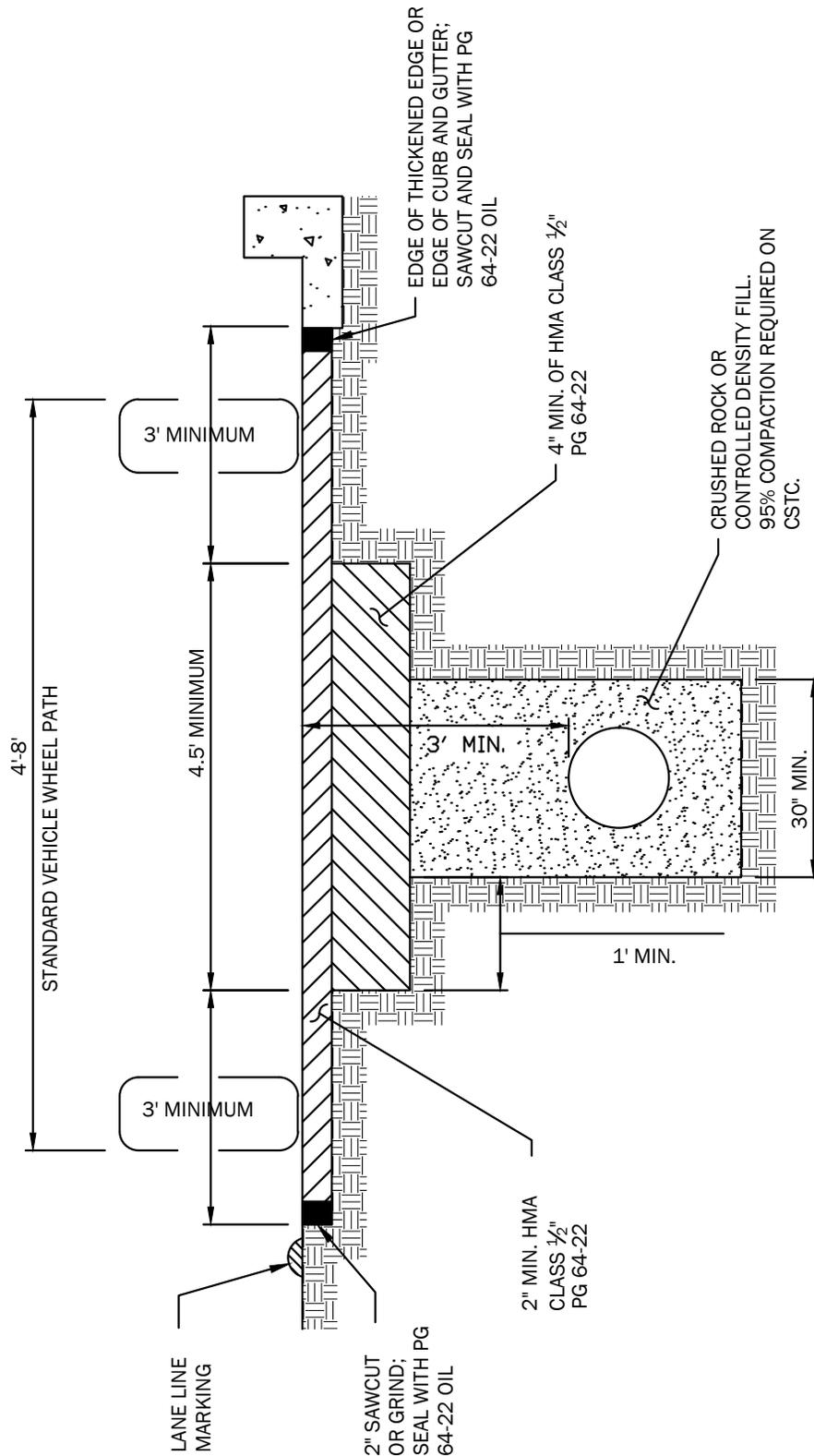


**ASPHALT PAVEMENT PATCHING
AND RESTORATION DETAILS
TRANSVERSE CUT**



TOWN OF BEAUX ARTS VILLAGE

10550 SE 27TH STREET
BEAUX ARTS, WA 98004
P: (425) 454-8580
townhall@beauxarts-wa.gov
<https://beauxarts-wa.gov>



LESS THAN FULL WIDTH OVERLAY

**ASPHALT PAVEMENT
SECTION OF
LONGITUDINAL CUT**

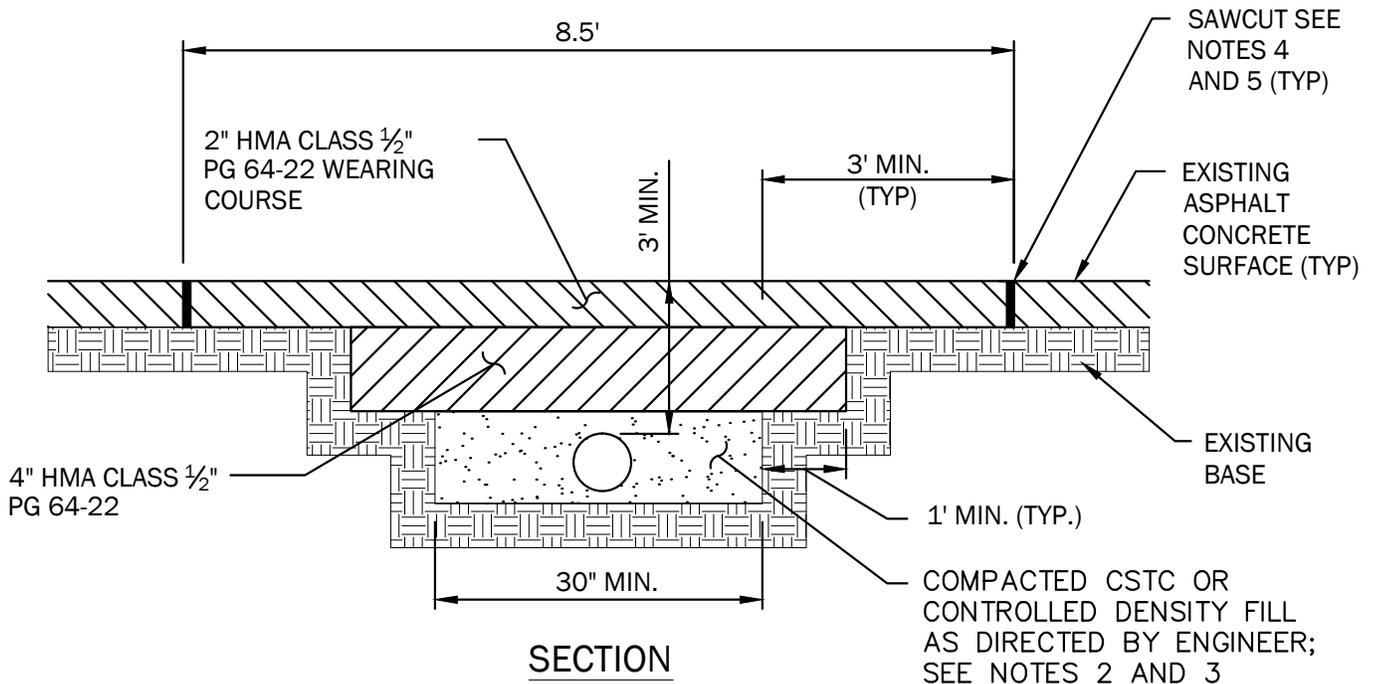


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NOTES:

1. ASPHALT CONCRETE MIX SHALL BE HMA CLASS $\frac{1}{2}$ " OR CLASS 1" PG 64-22.
2. ALL TRENCH BACKFILL SHALL BE CSTC OR CONTROLLED DENSITY FILL.
3. CONTROLLED DENSITY FILL SHALL MEET WSDOT STANDARDS AS STATED IN 2-09.3(1)E OF THE STANDARD SPECIFICATIONS FOR ROAD, BRIDGE AND MUNICIPAL CONSTRUCTION MANUAL M41-10, CURRENT EDITION.
4. ALL SAW CUTS SHALL BE VERTICAL AND IN STRAIGHT LINES AS DIRECTED BY ENGINEER.
5. TACK ASPHALT FACES OF SAW CUTS AND SEAL SAW CUTS WITH PG 64-22 OIL.
6. PAVING FABRIC (IF FOUND) WILL NOT REQUIRE REPLACEMENT.
7. HMA SHALL BE A MINIMUM OF 6 INCHES THICK ON LOCAL STREETS.



ASPHALT PAVEMENT PATCHING AND RESTORATION DETAILS LONGITUDINAL CUT



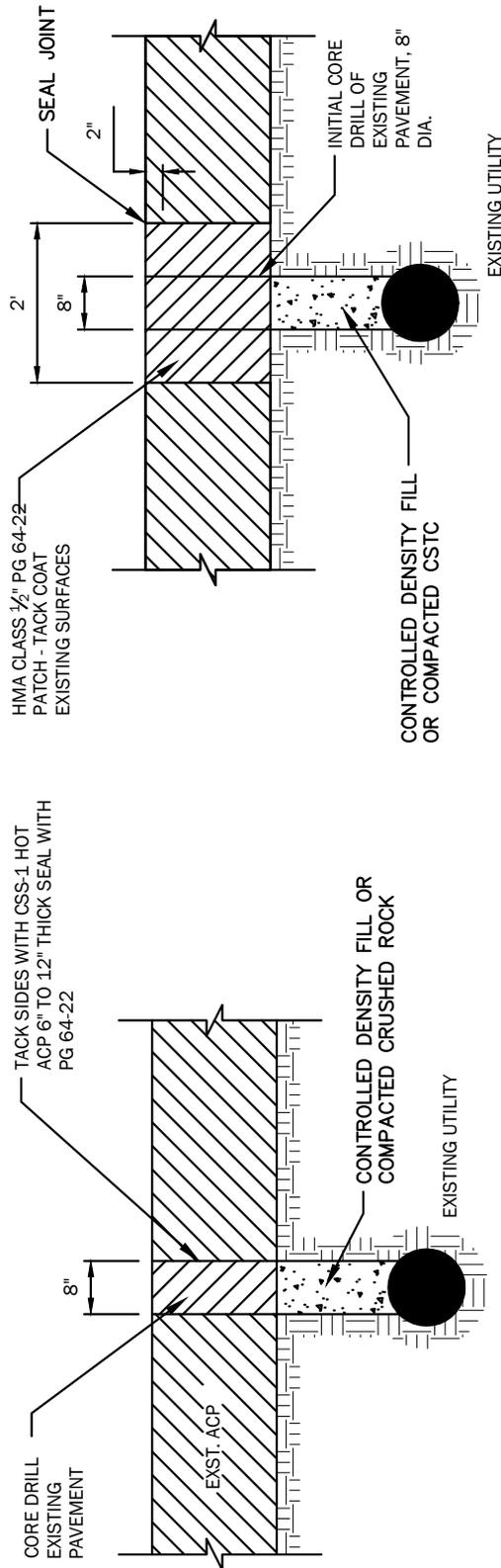
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RD-03

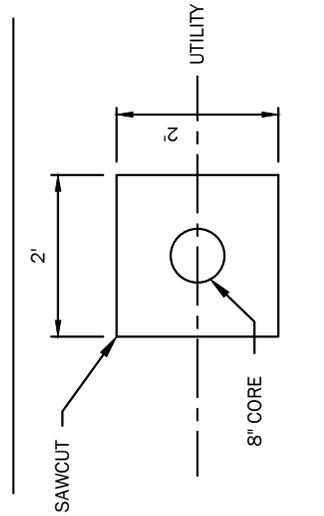
LAST REVISED: 05/06/16

ALTERNATE REPAIR
WHEN REQUIRED BY ENGINEER



NOTES:

1. THE EXISTING PAVEMENT SHALL BE CUT FULL DEPTH WITH AN EIGHT INCH DIAMETER CORE DRILL. THE SUBBASE MATERIAL SHALL BE REMOVED USING A VACUUM EXCAVATOR, KEEPING THE EXCAVATION AS MINIMAL AS POSSIBLE.
2. BACKFILL THE EXCAVATION WITH A SIX INCH CUSHION OF CRUSHED ROCK OVER THE UTILITY THEN PLACE THE REMAINING VOID WITH CDF OR COMPACTED CSTC.
3. REPAIR THE CORED PAVEMENT SECTION WITH HMA CLASS 1/2 PG 64-22 AND SEAL THE JOINT.
4. IF THE EXCAVATION BELOW THE ASPHALT PAVEMENT IS LARGER THAN THE 8 INCH CORE, THE PAVEMENT RESTORATION WILL INCLUDE A 2' BY 2' TEE PATCH FULL DEPTH OF THE ASPHALT CENTERED ON THE EXCAVATION, AS SHOWN ABOVE AS ALTERNATE REPAIR.
5. IF THE EXCAVATION IS LARGER THAN 2' BY 2', THE STANDARD GRIND AND OVERLAY RESTORATION SHALL BE USED.



**ASPHALT PAVEMENT
RESTORATION FOR WINDOW CUTS**

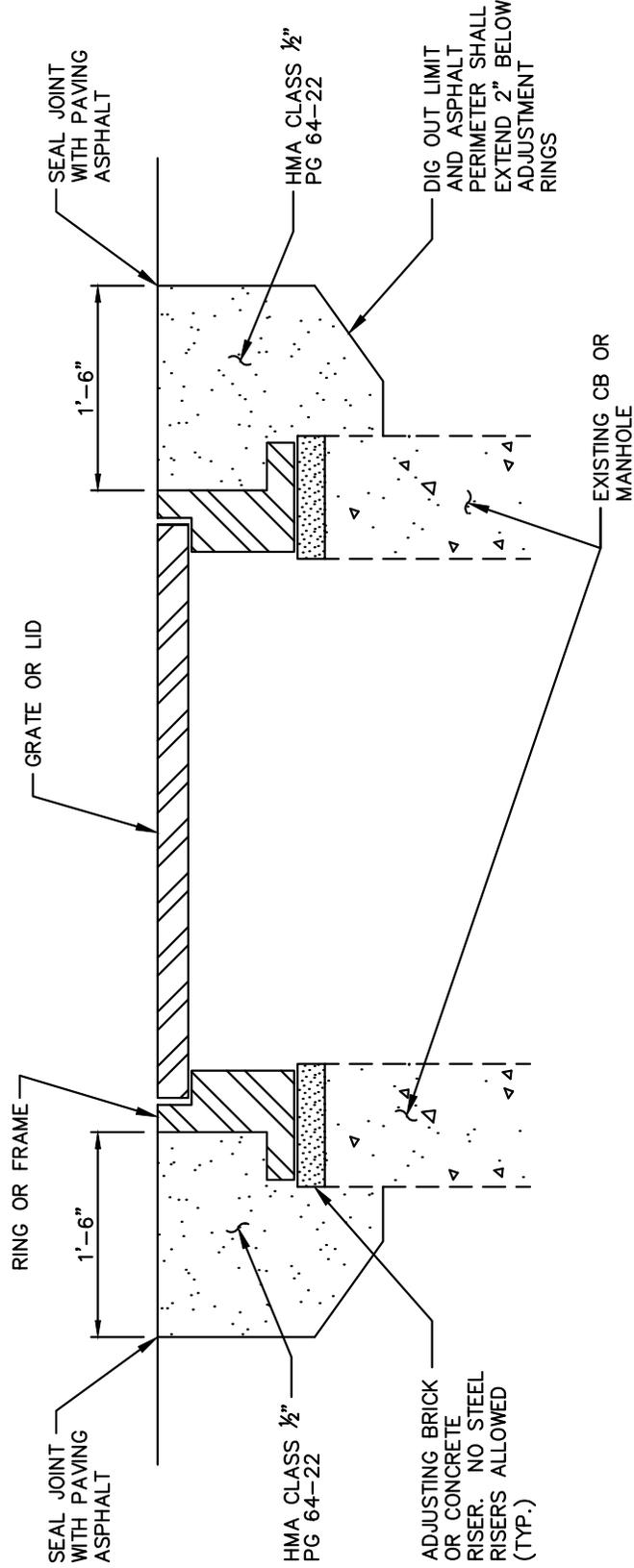


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UTILITY MANHOLE AND VAULT ADJUSTMENT

THE EXISTING IRON FRAME AND COVER OR GRATE SHALL BE REMOVED AND THOROUGHLY CLEANED FOR REINSTALLATION TO THE NEW ELEVATION. THE EXISTING STRUCTURE SHALL BE RAISED OR LOWERED TO THE REQUIRED ELEVATION USING CONCRETE BLOCKS, BRICK, AND/OR CONCRETE RINGS. EACH JOINT SHALL BE GROUTED USING A 3/4 INCH LAYER OF NON-SHRINK MORTAR, PLASTERED SMOOTH INSIDE AND OUT. COVERS SHALL BE SEATED ON A UNIFORM LAYER OF GROUT TO PREVENT ROCKING.



UTILITY ADJUSTMENT DETAIL

NTS

**ASPHALT PAVEMENT
UTILITY ADJUSTMENT
DETAIL**



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RD-05

LAST REVISED: 05/06/16