

**AN ORDINANCE AMENDING ARTICLE 911 TO MODIFY  
REQUIREMENTS FOR RESURFACING OF EXCAVATION OF TOWN STREETS**

**WHEREAS**, the Town of Nutter Fort currently has ordinances regarding the cutting of pavement and excavation within the Town's streets and sidewalks, as set forth in Article 911; and

**WHEREAS**, the Town of Nutter Fort desires to clarify the requirements for resurfacing of disturbed streets within the Town; and

**WHEREAS**, the Town of Nutter Fort desires to more fully set forth the requirements for resurfacing of the pavement cuts or excavation; and

**NOW, THEREFORE BE IT ORDAINED BY THE TOWN OF NUTTER FORT THAT:**

**Article 911.12            SPECIFICATIONS FOR RESURFACING.**

Anyone issued a permit to occupy, obstruct or damage a street or sidewalk or an excavation and street cut permit shall adhere to the following specifications and requirements:

- (a) If more than 20% of the cut or excavated street is impacted by the cut or excavation, then the street shall be resurfaced, including milling from edge to edge at a minimum depth of 1 ½ inches (1.5");
- (b) If more than 20% of the cut or excavated lane of street is impacted by the cut or excavation, then the street shall be resurfaced, including milling from edge to edge at a minimum depth of 1 ½ inches (1.5");
- (c) Paving will be block to block with "heel in" joints or if a shorter section is done, "heel in" joints will be provided 10' (ten feet) beyond the disturbance on each end;
- (d) The disturbed section is calculated by the following:
  - 1. Measuring the width of the street beginning at one end of the excavation, followed by the length of the excavation, thereby allowing a total square footage area of the affected street to be determined via width of the street times the length of the excavation. The same measurement and calculation should be repeated for the lane.
  - 2. Measuring the width of the excavation at its widest point, followed by the length of the excavation, thereby allowing a total square footage area of the excavation to be determined via width of the excavation times the length of the excavation.
  - 3. The percentage of the affected area is then determined by the square footage of the excavation divided by the applicable square footage of the

street and/or lane, multiplied by 100.

- (e) All repairs (or parts thereof) shall be done in accordance with any further specifications adopted or required by the Town, the Town Engineer or the Director of Public Works.

This Ordinance shall be effective immediately upon passage.

Passed by Council of the Town of Nutter Fort on FIRST READING on this 27th day of May, 2025.

Passed by Council of the Town of Nutter Fort on SECOND READING on this 10th day of June, 2025.

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MAYOR

ATTEST:

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TOWN RECORDER