

**TOOELE COUNTY
ORDINANCE 2023-14**

**AN ORDINANCE AMENDING CHAPTER 3, EXCAVATIONS, OF
TITLE 15, ROADS, OF THE TOOELE COUNTY CODE**

WHEREAS, Tooele County generally requires contractors to warrant infrastructure improvements for a period of one year after inspection and acceptance by the county; and

WHEREAS, current Section 15-3-5 requires contractors to warrant post-cut backfill in county roads and county rights-of-way for a period of two years; and

WHEREAS, reducing the current warranty period for post-cut backfills to a period of one year will reduce confusion and achieve similarity with other existing warranty periods; and

WHEREAS, Tooele County does not currently prohibit cuts in newly installed county roads; and

WHEREAS, newly installed county roads are degraded by cuts; and

WHEREAS, it is common among other counties and municipalities to prohibit cuts in newly installed roads for several years;

**NOW, THEREFORE, THE COUNTY LEGISLATIVE BODY OF TOOELE
COUNTY ORDAINS AS FOLLOWS:**

SECTION I – SECTION AMENDED. Section 15-3-5, *Specifications*, of Chapter 3, *Excavations*, of Title 15, *Roads*, of the Tooele County Code is hereby amended to read as attached hereto, which attachment is, by this reference, made a part hereof.

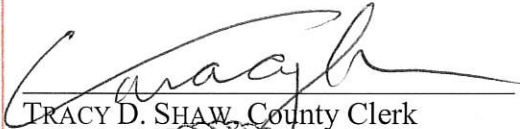
SECTION II – SECTION AMENDED. Section 15-3-7, *Restoration of Surface*, of Chapter 3, *Excavations*, of Title 15, *Roads*, of the Tooele County Code is hereby amended to read as attached hereto, which attachment is, by this reference, made a part hereof.

SECTION III – REPEALER. Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION IV – EFFECTIVE DATE. This ordinance shall become effective fifteen (15) days after its passage, provided it has been published, or at such publication date if more than fifteen (15) days after passage.

IN WITNESS WHEREOF the Tooele County Council, which is the legislative body of Tooele County, passed, approved and enacted this ordinance this 20th day of June, 2023.

ATTEST:


TRACY D. SHAW, County Clerk



TOOELE COUNTY COUNCIL:


JARED S. HAMNER, Chair

Council Member Hamner voted aye

Council Member Hoffmann voted aye

Council Member Stromberg voted aye

Council Member Thomas voted aye

Council Member Wardle voted aye

APPROVED AS TO FORM:


COLIN R. WINCHESTER
Deputy Tooele County Attorney

TOOELE COUNTY CODE
TITLE 15
ROADS

Chapter 3: Excavations

15-3-5. Specifications.

(1) Street pavement cuts and backfill shall conform to the most recent version of the APWA Standards and Specifications adopted by the Council.

(2) The contractor and/or excavator shall be responsible and provide warranty for backfill in County roads and County rights-of-way, and for backfill under sidewalks, curbs or other structures, for a period of one year from the date of inspection by the Roads Department.

15-3-7. Restoration of surface.

(1) All street surfacing, curbs, gutters, sidewalks, driveways, or other hard surfaces falling in the line of the work, which must be removed in the performance of the work, shall be restored in kind by the contractor as specified in the most recent version of the APWA Standards and Specifications adopted by the Council.

(2) All signage falling in the line of the work, which must be removed in the performance of the work, shall be restored in compliance with the Manual on Uniform Traffic Control Devices.

(3) Cuts in county road surfaces are prohibited for a period of five years from installation. The Roads Department Director may grant exceptions. If an exception is granted, the Roads Department Director may require that the entire width of the road be overlaid or reconstructed up to the nearest intersection.

TOOELE COUNTY CODE
TITLE 15
ROADS

Chapter 3: Excavations

15-3-5. Specifications.

(1) Street pavement cuts and backfill shall conform to the most recent version of the APWA Standards and Specifications adopted by the Council.

(2) The contractor and/or excavator shall be responsible and provide warranty for backfill in County roads and County rights-of-way, and for backfill under sidewalks, curbs or other structures, for a period of ~~two years~~ one year from the date of inspection by the Roads Department.

15-3-7. Restoration of surface.

(1) All street surfacing, curbs, gutters, sidewalks, driveways, or other hard surfaces falling in the line of the work, which must be removed in the performance of the work, shall be restored in kind by the contractor as specified in the most recent version of the APWA Standards and Specifications adopted by the Council.

(2) All signage falling in the line of the work, which must be removed in the performance of the work, shall be restored in compliance with the Manual on Uniform Traffic Control Devices.

(3) Cuts in county road surfaces are prohibited for a period of five years from installation. The Roads Department Director may grant exceptions. If an exception is granted, the Roads Department Director may require that the entire width of the road be overlaid or reconstructed up to the nearest intersection.