

# 84215

P. 1155-1156 <sup>15</sup>

TORRANCE COUNTY

ROAD EXCAVATION ORDINANCE #88-1

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF TORRANCE COUNTY

SECTION I. TITLE

This ordinance will be known as the Torrance County Road Excavation Permit Ordinance.

SECTION II. GENERAL POLICY

A. It shall be unlawful for any person to make any excavation, cut, tie-in to existing County Road, place aerial crossing under 15 ft. high and line carrying 110 volts, or remove material from any County road or right-of-way, without first applying for and securing a permit from the Torrance County Road Department, complying fully with all of the provisions of this ordinance.

B. All utility construction and road restoration shall be in accordance with Torrance County specifications.

C. Should any conflict exist between the provisions of this ordinance and other applicable laws, the most stringent regulation shall apply.

SECTION III. EXCAVATION, DRIVEWAYS PERMITS AND APPROVALS

A. The permit must be applied for and approved. Once the permit is issued, it will be valid for fifteen (15) working days, at which time it will expire.

SECTION IV. PERMIT WARRANTY AND RESTRICTIONS

A. The permittee is required to correct incomplete or defective materials & workmanship performed under each permit.

B. The permittee must restore the road sub-base and surface to its original condition. Upon failure of the permittee to do so within twenty-four hours after notice from the County the County may cause to have such work done and the cost charged to the permittee.

Road Excavation Ordinance - continued

SECTION V. REQUIREMENTS

A. The permittee prior to making any excavation or road cut, shall adequately light the area at night with safety flares, blinking lights, etc. A barricade and lighting will be maintained until all work has been completed.

B. Facilities shall be installed at least 36 inches below road surface.

C. Ditches paralleling County roads shall not be open for more than twenty-four (24) hours without notifying the County Road Department.

D. The permittee shall remove all rubbish, excess rock, earth and other debris resulting from excavation work immediately on completion.

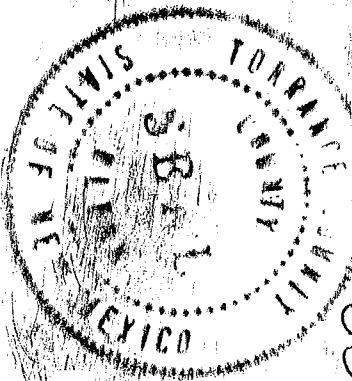
E. All trenches and ditches will be backfilled and compacted.

F. Backfill and compaction inspections shall, to the extent practical, be made by the County.

SECTION VI. PENALTY

In addition to any other liability imposed by law, any person who shall violate the provision of this ordinance may, upon conviction, be punished by a fine of not more than \$300.00 or by imprisonment in the County jail for a period not to exceed ninety (90) days, or both, at the discretion of the Judge.

THIS ORDINANCE PASSED AND EFFECTIVE THIS 30<sup>th</sup> day of November, 1988.



STATE OF NEW MEXICO  
County of Torrance

I hereby certify that this instrument was filed for record on the 6<sup>th</sup> day of Sept. A.D., 1989 at 9:30 o'clock A M. and duly recorded in book 200 at page 1155-1156

Witness my hand and Seal of office  
Linda Riley-Warren  
County Clerk, Torrance Co., N.M.  
Maryam C. Araya  
Deputy

Torrance County Board of Commissioners:

Joe J. Carrijo  
Chairman

Robert F. Breyer, Sr.  
Member

Robert Mathews  
Member

Attest: Linda Riley-Warren  
County Clerk