

(PROPOSED)

**COUNCIL POLICY  
CITY OF CHULA VISTA**

|  |                          |                            |             |
|--|--------------------------|----------------------------|-------------|
| <b>SUBJECT: UTILITY TRENCH MORATORIUM<br/>POLICY</b> | <b>POLICY<br/>NUMBER</b> | <b>EFFECTIVE<br/>DATE</b>  | <b>PAGE</b> |
|  | 585-02                   | TBD                        | 1 OF 2      |
| <b>ADOPTED BY:</b> Resolution No. 2012-096           |                          | <b>DATED:</b> June 5, 2012 |             |
| <b>AMENDED BY:</b> Resolution No. 2017-(000) TBD     |                          |                            |             |

**BACKGROUND**

The City previously adopted Resolution Number 2012-096, Utility Trench Moratorium Policy No. 585-02, implementing a trench cut moratorium to limit developers, utility companies, and City crews from damaging newly paved or resurfaced streets.

Many studies have indicated that a utility cut damages an area of pavement larger than the actual area of the excavation. So in line with the State of California and other cities, the City of Chula Vista requires the utility contractors to reconstruct the street from curb to curb wherever a utility cut/trench is between them. The City also requires all trench cuts to be T-cuts, to reduce the negative impacts of the trench cut. In addition, Chapter 12.16 of the Municipal Code allows the Director of Public Works to require the person repaving the excavation to apply a seal coat at any time within two years of the time of repaving.

In order to better manage the pavement degradation as a result of utility trenches, staff conducted further review of other moratorium policies from neighboring agencies in California. Staff therefore recommends extending the periods of the Utility Trench Moratorium policy. The longer restriction periods will extend the life and structure of the pavement. It is also recommended that, like many of the neighboring agencies, the City require resurfacing at least the length of excavation from curb to curb or from curb line to the raised median.

**PURPOSE**

To revise the existing Utility Trench Moratorium policy by increasing the moratorium periods from one to three year moratorium for streets receiving a slurry or chip seal and increasing from three to five year moratorium for newly constructed, reconstructed, and overlaid streets.

In order to clarify the procedures for trench repair requirements for streets under moratorium, the City has adopted a new construction standard CVCS-#New "Moratorium Roadway Trench Resurfacing."

**PROCEDURES****1. Trench Cut Moratorium**

- 3-year moratorium for streets receiving a sealcoat, such as a slurry seal or chip seal.
- 5-year moratorium for newly constructed and reconstructed streets and for streets receiving overlays and treatments one-inch thick or greater.
- The moratorium shall be in force during the construction period, and the timed moratorium period will begin upon the filing of the Notice of Completion for the construction project including the affected streets.
- For newly constructed streets, the moratorium shall begin to be enforced when the streets are given the final pavement cap, and the timed moratorium period will begin upon the filing of

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the Notice of Completion.

**2. Trench Repair Requirements for Streets under Moratorium**

- Lateral trenches (perpendicular to the curb) – Extend T-cut grind and overlay limits to 10 feet beyond each side of the trench and over the entire lane that is impacted (regardless of street classification).
- Longitudinal trenches (parallel to the curb) – grind 1-1/2 inches minimum and place 1-1/2 inches minimum overlay over the entire lane that is impacted (regardless of the classification of the street).
- Use Chula Vista Construction Standard CVCS #New

**3. Excavations of streets not under the Utility Trench Moratorium**

Use Chula Vista Construction Standards, CVCS 3 & 4 and CVMC Chapter 12.16.

CITY STAFF RESPONSIBILITIES AND PROCEDURES:

1. This policy requires coordination and cooperation by sections within the Engineering and Development Services Departments. Engineering staff will provide information on streets subject to the moratorium to Development Services staff that are responsible for issuing utility excavation permits.
2. The Project Manager/Engineering staff will notify utility companies of pending roadway construction and/or pavement resurfacing and rehabilitation projects.

IMPLEMENTATION

1. Streets that are constructed or rehabilitated and have received a Notice of Completion (NOC) on or after the Effective Date of this revision will be subject to all provisions of this policy.
2. Streets that have received an NOC prior to the Effective Date will be subject to the requirements of the original moratorium policy adopted by Resolution 2012-096.

REFERENCES

- Standard Specifications for Public Works Construction (Greenbook), Section 306-1.5, “Trench Resurfacing”
- Chula Vista Construction Standards: CVCS 3 & 4 and CVCS #New
- CVMC Chapter 12.16 Excavations
- Street Pavement Moratorium weblink: <http://54.245.80.46/ChulaVistaSL/> (CVmapper)