

SUBJECT	ISSUED BY	EFFECTIVE DATE
<b>LAND RESTORATION POLICY</b>	<b>CITY COUNCIL</b>	<b>DECEMBER 7, 2009</b>

**POLICY STATEMENT:**

This policy is to help guide City staff and the general public regarding the restoration of ground when disturbed by city crews or contractor hired by the City to perform work, while working on city owned utilities and/or streets.

**PROCEDURE:**

1. Any time the City will be disturbing the ground beyond grading a street or alley, staff shall place a locate call with Kansas One Call to locate all city and franchised utilities.
2. A letter will be sent to the adjacent property owners asking them to locate any privately owned underground items (e.g. sprinkler systems, underground wires). They will be given the same response time as a Kansas One Call (3 working days for non-emergency work). If the work is deemed an emergency by the City, staff will notify Kansas One Call of an emergency locate and attempt to make contact with the property owner if time allows, asking them to locate any privately owned underground items (e.g. sprinkler systems, underground wires). They may be given the same response time as a Kansas One Call (2 hours for emergency work) if available. The safety of city staff and the general public will be considered first and foremost.
3. Any structures, fences, trees, shrubs, or other permanent fixtures located on the public right of way or dedicated utility easements may be removed by the City and/or its contractor to conduct the work necessary to the streets and/or utilities if deemed necessary by the City Administrator and/or City Council. The City will not be responsible for replacing any items removed from the public right of way and/or dedicated utility easements and will not reimburse the property owner for any damages that may be incurred. If a permanent fixture is located on the public right of way or dedicated easement, it must be relocated by the property owner or will be subject to demolition by the City and/or its contractor.
4. The city and/or its contractor will attempt to avoid any flowerbeds, trees, shrubs, or similar plantings and/or yard decorations, if financially feasible, but in the event that the utility or street work must be done in this area, the City and/or its contractor will not be required to restore the plantings and/or yard decorations. The City and/or contractor will work with the property owner to salvage materials, but it is the property owner's responsibility to conduct the salvage.

5. The city or its contractor will take care in not damaging any underground utilities marked out by the city, a public utility, or private property owner. If any damage is caused to underground utilities that have been marked, the City or its contractor will repair the damage to a pre-existing condition.
6. If the city or its contractor damages any underground utilities not marked by the owner, the city and/or its contractor will not be responsible for repairing any said damage.
7. Once the work has been completed, an attempt will be made to backfill any open trenches and/or holes dug during the construction within 2 working days. If the weather does not allow for equipment to enter the work site without causing further damages, or the surface soil is frozen, the city may allow for more time before backfilling.
8. Once all backfilling has been completed all trenches and holes will be smoothed out and left slightly humped to allow for settling. Leveling of the trench and all holes should occur within 5 working days of the backfilling. If the weather conditions do not allow for this to happen, such as rain or cold temperatures, the City reserves the right to wait until weather conditions improve to complete leveling of the affected areas.
9. The City will work with all property owners to try and maintain a maximum of a 4:1 slope on all ground to help facilitate maintenance after project completion. If 4:1 slopes are not possible, the City may elect to install retaining walls at its own discretion, which will then be the responsibility of the homeowner to maintain.
10. The City will then cause the trench and/or holes to be re-seeded with a Fescue type grass seed at the earliest convenience of the City. Typically all seeding activities will occur in the spring or fall. If the property owner wishes to use some type of seed or grassed sod, they may elect to do so at their own expense. The City will only level and seed once. If the area(s) settle or the grass seed fails to grow it is the responsibility of the property owner to re-level and reseed the disturbed area.
11. The City may incorporate some straw during seeding activities to help reduce possible erosion. It is the property owner's responsibility to keep erosion to a minimum. It is also the property owner's responsibility to keep soil from flowing into storm sewers or ditches. It is the property owner's responsibility to water and fertilize the grass seed after planting.

Approved By: \_\_\_\_\_  
Harold H. Jones, Jr., Mayor