

EXHIBIT A

CHAPTER 12.12 – ENCROACHMENT PERMITS – GENERAL PROVISIONS

12.12.180 – Trench Moratorium

For streets, alleys, and public places that were newly constructed, reconstructed, rehabilitated, overlaid, or sealed, the following shall apply:

- A. Non – emergency street cuts will not be permitted for a period of five (5) years from the date of City Council acceptance and/or Certificate of Final Occupancy of projects with street improvements consisting of new construction, reconstruction, rehabilitation, overlay and/or slurry seal.
- B. Emergencies (exceptions) are defined as follows, as determined by the City:
 - 1. Imminent danger of life or property.
 - 2. Interruption of essential utility service.
 - 3. Work that is mandated by the city, state or federal law.
 - 4. Service for new development or new customers where no other reasonable means of providing services exist.
- C. In the case of an emergency or where street cuts have been authorized by the City, within five (5) years following City Council acceptance and/or Certificate of Final Occupancy of projects with street improvements consisting of new construction, reconstruction, rehabilitation, overlay and/or slurry seal, the following shall apply:
 - 1. For street cuts/trenches, on a moratorium street, perpendicular to traffic lanes (a transverse street cut): The permittee will be required to grind and overlay, two (2) inches of asphalt concrete (AC) ten (10) feet on both sides of the trench line and for the full width of all impacted traffic lane(s) cut; but not less than five (5) feet from the end(s) of the trench. If the trench end(s) is less than or equal to five (5) feet from a lane line the adjacent lane shall be included, or as directed by the City. All work requires a properly licensed contractor, City of Hesperia business license and current insurance on file. All other criteria from City of Hesperia Standard Drawing is applicable.
 - 2. For street cut/trenches, on a moratorium street, parallel to traffic lanes (a longitudinal street cut): The permittee will be required to grind and overlay two (2) inches of asphalt concrete (AC), one-half (1/2) street width minimum, for the full length of the cut/trench plus ten (10) feet on both ends, but not less than or equal to five (5) feet from trench edge both sides of trench, if this limit encroaches into adjacent lane, the other half of the street, then the full lane width shall be included or as directed by the City. All work requires a properly licensed contractor, city of Hesperia business license and current insurance on file. All other criteria from City of Hesperia Standard Drawing is applicable.

3. The full width of street shall be slurry sealed within the limits of the grind and overlay when 3 or more trenches, cuts and/or potholes within a two-hundred feet (200') length, or as directed by the City.