

**ORDINANCE NO. 25-7161**

**AN ORDINANCE OF THE CITY COUNCIL OF LEBANON  
TO AMEND TITLE 16, SECTIONS 16-204 AND 16-212 OF THE LEBANON  
MUNICIPAL CODE AND TO REVISE THE ROAD EXCAVATION  
PERMIT APPLICATION**

**WHEREAS**, the Lebanon City Council approved Ordinance No. 95-1411 on January 16, 1996 to create a new Chapter 2 for Title 16 of the Lebanon Municipal Code relative to road excavations and cuts and amended with Ordinance 23-6664 on February 21, 2023; and

**WHEREAS**, it is now necessary to revise the Road Excavation Permit Application requirements; and

**WHEREAS**, it is now necessary to amend LMC § 16-212 which governs penalties of Title 16, Chapter 2 to add stop work orders; and

**WHEREAS**, it is now necessary to amend LMC § 16-204 to require a \$10,000 deposit/letter of credit or infrared repairs if the road is classified as a collector road or if the road has been paved within the last 5 years.

**NOW, THEREFORE, BE IT ORDAINED** by the City of Lebanon, Tennessee, as follows:

Section 1. The Road Excavation Permit Application, attached hereto by reference as if appearing verbatim herein, is hereby approved.

Section 2. That the Lebanon Municipal Code, Title 16, Section 16-204 is hereby amended by adding the following sentence at the end Section 16-204:

For any road classified as a collector road and for any road that has been paved within the last five (5) years, infrared repairs are hereby required except for when a ten thousand dollar (\$10,000.00) deposit or acceptable letter of credit has been deposited with the commissioner of finance and revenue.

Section 3. That the Lebanon Municipal Code, Title 16, Section 16-212 is hereby amended by repealing and replacing section 16-212(2) as follows:

(2) In addition to the above stated penalty, the commissioner of public services or the commissioner's duly authorized representative shall issue stop work orders and/or shall require the certificate of occupancy for any building associated with the subject driveway to be withheld until all provisions of this chapter are appropriately addressed and approved by the commissioner of public services or the commissioner's duly authorized representative.

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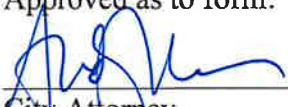
Section 4. This ordinance shall take effect immediately upon its passage, the public welfare requiring the same.

Attest:

  
\_\_\_\_\_  
Commissioner of Finance and Revenue

Approved:  
  
\_\_\_\_\_  
Mayor

Approved as to form:

  
\_\_\_\_\_  
City Attorney

Passed First Reading: February 18, 2025

Passed Second Reading: March 4, 2025

# ROAD EXCAVATION PERMIT APPLICATION

SEND TO DANNY TURNBULL (DANNY.TURNBULL@LEBANONTN.ORG) AND CHRIS LASATER (CHRIS.LASATER@LEBANONTN.ORG) ONCE COMPLETED FOR REVIEW



TODAYS DATE: \_\_\_\_\_ REVISED: 2/6/2025  
PERMIT NUMBER (STAFF USE): \_\_\_\_\_  
CONTRACTOR: \_\_\_\_\_  
CONTRACTOR ADDRESS: \_\_\_\_\_  
CONTACT PERSON: \_\_\_\_\_ CONTACT PHONE #: \_\_\_\_\_  
EMAIL ADDRESS: \_\_\_\_\_ AFTER HOURS PHONE #: \_\_\_\_\_  
NAME OF DEVELOPMENT / PROJECT: \_\_\_\_\_

EXCAVATION / BORE LOCATION (INCLUDE SKETCH/EXHIBIT): \_\_\_\_\_

INSURANCE CERTIFICATE AND CONTRACTORS LICENSE ATTACHED?  YES  NO (PERMIT WILL NOT BE ISSUED UNTIL RECEIVED)

PURPOSE OF WORK:  WATER TAP  SEWER TAP  GAS TAP  ROAD/SIDEWALK IMPROVEMENTS  
ATTACH COPY OF WATER/SEWER TAP APPLICATION OR GAS SERVICE CONTRACT

TYPE OF WORK  EXCAVATION  TUNNEL  BORE  OTHER: \_\_\_\_\_

TRAFFIC CONTROL PLAN ATTACHED?  YES  NO SEE LANE CLOSURE SECTION OF THE ROAD EXCAVATION GUIDELINES FOR ALL REQUIREMENTS PRIOR TO CLOSURE & PERMIT APPROVAL

TYPE OF CLOSURE NEEDED?  SIDEWALK  ROAD  LANE NOTE: FULL ROAD CLOSURES WILL ONLY BE CONSIDERED IN SPECIFIC CIRCUMSTANCES

PROPOSED START DATE: \_\_\_\_\_ PROPOSED COMPLETION DATE: \_\_\_\_\_

PERMIT FEE: \$200 PER CUT CIVIL PENALTY: up to \$50 per day and/or a STOP WORK ORDER issued

**VIOLATIONS INCLUDE, BUT ARE NOT LIMITED TO, CUTTING A CITY STREET WITHOUT A PERMIT, NO TEMPORARY PATCHING, INADEQUATE REPAIRS, LACK OF PROPER TRAFFIC CONTROL, AND UNSAFE WORKING CONDITIONS**

HAS THE ROAD BEING CUT BEEN PAVED WITHIN THE LAST 5 YEARS, OR IS IT A COLLECTOR ROAD (AS DETERMINED BY THE COMMISSIONER OF PUBLIC SERVICES OR AUTHORIZED AGENT)? YES: \_\_\_\_\_ NO: \_\_\_\_\_  
(IF YES, \$10,000 SECURITY IS REQUIRED AND INFRARED REPAIRS WILL BE REQUIRED)

TYPE OF SECURITY:  CASH DEPOSIT  LETTER OF CREDIT  CHECK REQUIRED AMOUNT: \$ \_\_\_\_\_  
(**\$5,000 MIN. PER CUT LOCATION**)

**NOTE: THIS PERMIT SHALL EXPIRE SIXTY (60) DAYS FROM DATE OF ISSUANCE. FAILURE TO BEGIN WORK WITHIN SIXTY (60) DAYS WILL REQUIRE A NEW PERMIT AND PAYMENT OF ALL APPROPRIATE FEES. ONE (1) YEAR WARRANTY IS REQUIRED AFTER FINAL ACCEPTANCE OF REPAIRS**

**NOTE: WHEN STARTING WORK...CALL (615) 456-5989 FOR ALL INSPECTIONS.**

### APPLICANT ACKNOWLEDGEMENTS:

I HAVE READ AND UNDERSTAND THE REQUIREMENTS SET FORTH IN THE ROAD EXCAVATION PERMIT GUIDELINES INITIAL: \_\_\_\_\_

I HAVE READ AND UNDERSTAND THAT I MUST CALL TN ONE-CALL 72 HOURS MINIMUM PRIOR TO ROAD EXCAVATION INITIAL: \_\_\_\_\_

I UNDERSTAND THAT THE ISSUANCE OF THIS PERMIT IS FOR THE ABOVE STATED PROPERTY ONLY AND THAT THE PLANS AND SUPPORTING DATA HAVE OR SHALL BE PROVIDED AS REQUIRED. I FURTHER AGREE TO COMPLY WITH ALL APPLICABLE PROVISIONS OF ORDINANCE # 95-1411 AND ALL OTHER LAWS AND ORDINANCES AFFECTING THE PROPOSED DEVELOPMENT. REFER TO CITY OF LEBANON TYPICAL DETAIL ST-402 FOR PAVEMENT REPAIR DETAILS.

APPLICANT'S SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

ISSUED BY (STAFF USE): \_\_\_\_\_ DATE: \_\_\_\_\_

**DO NOT START WORK UNTIL PERMIT HAS BEEN ISSUED**

### DEPARTMENTAL USE ONLY

THE NOTED REPAIR WAS INSPECTED AND COMPLETED PER THE REQUIRED SPECIFICATIONS

CITY INSPECTOR: \_\_\_\_\_ DATE: \_\_\_\_\_