Memo

To: Mayor and Hayden City Council

From: Alan Soderling, Public Works Director

Date: 5.12.2026

Agenda Item: Resolution establishing the City of Hayden Pavement Cut Policy as the standard for restoration of surface cuts in public rights-of-way.

Agenda Item Location
New Business

Summary
This action, in sequence with amendments to Title 7, Section 7-2-15, establishes the City of Hayden Pavement Cut Policy as the City's guiding standards for restoration of surface cuts in the public rights-of-way. The policy establishes a clearly defined, predictable approach to restoration of pavement cuts applicable to utilities and other contractors working in the public rights-of-way that helps ensure the performance, integrity, and longevity of Hayden's roadways.

Recommended Action or Motion
Motion: Move to adopt the resolution and establish the City of Hayden Pavement Cut Policy as the City standards for restoration of surface cuts in public rights-of-way.

Budget Impact
None.

Attachments
City of Hayden Pavement Cut Policy

RESOLUTION NO. 2026- __

A RESOLUTION OF THE CITY OF HAYDEN, KOOTENAI COUNTY, IDAHO AUTHORIZING THE ADOPTION OF THE CITY OF HAYDEN PAVEMENT CUT POLICY TO ESTABLISH A UNIFORM APPROACH TO PAVEMENT CUTS AND REPAIRS APPLICABLE TO UTILITIES AND OTHER CONTRACTORS WORKING IN THE PUBLIC RIGHTS-OF-WAY

WHEREAS, underground facilities of public and private utilities are located within the public right-of-way; and

WHEREAS, periodically it is necessary to excavate in the public right-of-way to install, repair, and maintain these facilities; and

WHEREAS, excavation in the public right-of-way can adversely affect roadway integrity and longevity when restoration methods, materials, and extents are insufficient; and

WHEREAS, it is essential that restoration of excavated roadway be undertaken with a high standard of care consistent with industry best practices to ensure that the investment of Hayden tax dollars in its roadways is maximized and protected; and

WHEREAS, establishing prescriptive roadway surface restoration requirements in a comprehensive, predictable policy supports the longevity of Hayden's roadway system and provides clear guidance to utilities and contractors for project planning; and

WHEREAS, regional agencies are adopting similar policies to establish a more uniform, regional approach to roadway restoration that can be anticipated and implemented to the benefit of all users by utilities and contractors alike;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the City of Hayden adopts the City of Hayden Pavement Cut Policy as its guiding standard for restoration of surface cuts in the public rights-of-way.

PASSED AND ADOPTED on this _____ day of _____, 2026, by the following vote:

AYE:
NO:
ABSENT:
ABSTAIN:

_____
Alan Davis, Mayor

ATTEST: _____
Abbi Sanchez, City Clerk

City of Hayden
Pavement Cut Policy
Updated May 12, 2026

PURPOSE:

The purpose of this policy is to establish a uniform approach to pavement cuts and repair applicable to utilities and other contractors working in the public rights-of-way and promote the long-term integrity of City roadways.

POLICIES:

The City utilizes a two-tiered system based on street classification and age and may also apply additional criteria for roadway condition. The applicable policies are as follows:

1. **Moratorium Roadways.** A pavement cut moratorium will be in effect for a period of five years for all new and reconstructed roadways. Excavations in moratorium roadways shall not be allowed except in the event of an emergency and shall require the approval of the City and a restoration plan approved by the City that meets the minimum following requirements:
   a. The final pavement cuts shall be full depth and extend 3 feet (3'0") beyond the nominal trench edge asphalt cut longitudinally and transversely.
   b. If any portion of a lane is cut, the entire width of the roadway shall be restored.
   c. Where multiple asphalt cuts occur that are associated with the same project, restoration shall incorporate all cuts into one common patch to full width of the roadway.
   d. On any street constructed with at least 4 inches (4") of asphalt, the transverse edges of a patch shall be milled to a depth of 2 inches (2") and extend an additional 3 feet (3'0") beyond the end of the pavement cuts prior to the final paving lift to create lapped transverse joints.
   e. Where conditions dictate, the City Engineer or Public Works Director may authorize alternative restoration measures.

2. **Non-Moratorium Roadways.** The policies for non-moratorium roadways are as follows:
   a. The final pavement cuts shall be full depth and extend 3 feet (3'0") beyond the nominal trench edge asphalt cut longitudinally and transversely.
   b. If any portion of a lane is cut, the entire width of the lane shall be restored.
   c. Where multiple asphalt cuts occur within the same project, full restoration of the entire cut area shall be required for the full width of any affected lane, and the full length of the project limits.
   d. New patching that extends into existing patches requires the removal and replacement of the existing patch unless otherwise approved by the City Engineer or their designee.
   e. New patches 6 feet (6') or closer to any existing patch shall be installed at the existing patch line. No gap of six feet or less shall remain.
   f. On any street constructed with at least 4 inches (4") of asphalt, the transverse edges of a patch shall be milled to a depth of 2 inches (2") and extend 3 feet (3'0") beyond the end of the pavement cuts prior to the final paving lift to create lapped transverse joints.

g. Where conditions dictate, the City Engineer may authorize alternative restoration measures.

Note: Where patching is required that incorporates roadways that both moratorium and non-moratorium, the higher standard shall prevail unless otherwise directed by the City Engineer.

Note: Any deviation from this policy will require approval in advance by the City.

Note: Trenchless technology is required for utilities crossing arterial streets with exceptions, as necessary. Exceptions may include but are not limited to existing utilities, tie-in locations to existing facilities, soil conditions, safety factors or other conditions. This requirement may also apply to roadways which contain sensitive utilities.

DEFINITIONS

City Engineer: City Engineer, his/her designee (Engineers, Public Works Director, Inspectors, Project Managers, Field Personnel) representing the City.

Assignee: The contractor who is taking out the permit.

Bell Hole: A hole dug to allow room for workmen to make a repair or connection in buried pipe, such as caulking bell-and-spigot pipe or welding steel pipe. A bell hole can also be used for the starting location of an underground bore, when using the directional boring equipment. In the broad sense, any hole other than a continuous trench opened for working on a buried facility

Compaction: Restoration and backfill of the Trench, Pothole, Bell hole and Keyhole. Each shall be compacted in lifts using the industry standard equipment to tamp the backfill material to 95% density of the Modified Proctor (ASTM-D1557). Asphalt compaction shall conform to the ISPWC, current edition.

Full depth: Asphalt depth top to base of asphalt or thickness of asphalt

Gap: Distance between two asphalt patches

ISPWC: The Idaho Standards for Public Works Construction, current edition.

Keyhole: Core drilling in asphalt or concrete used when performing installation, maintenance, or repair work. Minimum allowable surface repair size to obtain proper compaction is 12 inches by 12 inches (12”x12”).

Length of Patch: For this document the length of all patches is the patch dimension parallel to the roadway.

MUTCD: Manual on Uniform Traffic Control Devices: Traffic Control should be set up to warn and protect the workers and general public by avoiding the working area during construction. Traffic Control must meet or exceed the MUTCD (see

http://mutcd.fhwa.dot.gov section, Chapter 6G and 6H).

New Roadway: Any roadway that has had a designed rehabilitation in the permitted excavation location that is less than or equal to five years.

Patch: Required restoration of the pavement, base, and subbase resulting from pavement cuts as part of a permitted project.

Permittees: The utility company or contractor who submits an application for a permit to obstruct and/or conduct construction operations in the public right-of-way. Local agencies and their contractors shall be considered permittees for application of this policy even though the respective agencies and/or their contractors may not take out permits.

Potholing: Potholing is the practice of digging a test hole to expose underground utilities to ascertain the horizontal and vertical location of the facility. The horizontal and vertical position of the exposed facility must be tied to a survey benchmark or permanent above grade feature. The position may be identified by GPS or traditional survey coordinates or by measuring the distance, with a tape measure, to permanent features in three horizontal directions. In addition, the vertical distance below grade should be obtained. Minimum allowable surface repair size to attain proper compaction is 12”x12” unless the potholing method is by core.

Project Completion: Date when the following has occurred: final permanent restoration of roadway is complete and approved by the inspector, and all as-built documentation has been submitted to the City. A confirmation notification of ‘as built’ shall be considered confirmation.

Standard Specifications: Current version of the Idaho Standards for Public Works Construction (ISPWC), Supplemental Specifications, and/or City of Hayden Standards.

Travel Lane: Travel lanes shall be established based on striping, or where there is no striping, shall be determined by the City Engineer but is typically twelve feet (12’) to fourteen feet (14’) in width.

Trenchless Technology: refers to a variety of underground construction methods that require no continuous trenches.

Width of Patch: For this document the width of all patches is the patch dimension perpendicular to the roadway.

GENERAL REQUIREMENTS

1. Patching:
    a. New patching that extends into existing patches requires the removal and replacement of the existing patch unless approved by the City

Engineer.

b. The minimum length of the patch parallel to the road shall be six feet (6'- 0"). If any part of the excavation, patch or damaged area intrudes into an adjacent lane, that lane shall also be replaced.

c. New patches adjacent to any existing patch shall be installed at the existing patch line. When this is not feasible, no gap of 6 feet (6') or less shall exist.

d. When two or more patches are created within a given project that measure 75 feet (75') or less longitudinally or transversely they will be incorporated into a single patch.

e. Only saw cutting or approved grinding device will be allowed. Only parallel and perpendicular pavement cuts will be allowed. No jagged, broken or rolled undermined edges.

    i. Per City approval, grind and overlay outside of the full depth asphalt removal limits may be allowed to achieve full patch limits.

    ii. There may be times when a circular shaped patch is the preferred method for the repair (i.e. manholes and valve boxes), since it will provide a smoother ride instead of a square patch.

    iii. Asphalt must be removed and restored to the full extent of any sawcut. No overcuts shall remain in the roadway.

f. A Tack Coat of asphalt (see Specifications for Joint Adhesive and Crack Sealant) shall be applied to all paved surfaces on which any course of HMA is to be placed or abutted. Tack-coat shall be uniformly applied to cover the existing pavement with a thin film of residual asphalt free of streaks and bare spots at a rate between 0.02 and 0.08 gallons per square yard.

g. All pavement **cuts** shall be sealed full depth, flush with the pavement surface. The contractor is required to use an approved crack sealant material as defined in Specifications for Joint Adhesive and Crack Sealant section. The maximum length of overcut is equal to the depth of asphalt. Crack Sealant shall be applied according to manufacturer's recommendations. If any holes remain after application, the contractor is to repeat procedure.

h. A joint adhesive shall be used on all transverse and longitudinal joints of all lifts of asphalt that are not hot lapped or as designated by the City Engineer. The contractor is required to use an approved joint adhesive option as defined in the Specifications for Joint Adhesive and Crack Sealant section. It is important to assure that the wearing course joint is sealed completely and can visually be seen upon inspection. Joint Sealant shall be applied according to manufacturer's recommendations or according to industry standard, where applicable.

i. The completed surface of all courses shall be of uniform texture;

smooth, uniform as to crown and grade and free from defects. The completed surface of the wearing course shall not vary more than one-quarter-inch (1/4") from the lower edge of a ten-foot straightedge placed parallel to the centerline. Recognition and consideration will be made for existing roadway conditions. The City Engineer must approve corrective measures.

2. Keyholes. Can be used on moratorium streets, subject to City approval.
    a. Keyholes should be kept to vertical as close as possible.
    b. Backfilling the keyhole should follow same method as open trenching, using full depth crushed aggregate.
    c. Core reinstatement shall be per manufacture specifications.
    d. 12 inch ("12") minimum allowable size.
3. Materials. All patching materials and construction requirements not addressed in this document shall conform to the City's Standards. Hand patching materials may utilize a three-eighths inch (3/8") aggregate HMA with non-elastic recovery (ER) oil. Longitudinal cuts that extend through both moratorium and non-moratorium roadways will require the moratorium standard unless otherwise directed by the City Engineer. Any variances to the specifications shall be requested in writing prior to the work.
4. Traffic Control:
    a. All existing traffic control markings will be replaced as soon as possible after permanent paving is completed.
    b. Temporary markings for lane lines and stop lines shall be in place prior to the roadway opening for traffic.
    c. All remaining temporary striping will be completed within seven days of new pavement completion and shall be maintained by permittee until permanently restored.
    d. All traffic markings will be replaced per normal work practices.
    e. All temporary traffic control for the work zone shall conform to the MUTCD..
    f. All traffic control is subject to the approval of the City Engineer or his/her designee
5. Emergency Repairs. The permittee shall be allowed to make emergency repairs provided a more reasonable alternative does not exist. Every reasonable effort will be made to restore the roadway quickly. The City will be notified of emergency repairs not later than the next business day.

SPECIFIC REQUIREMENTS

1. Chip sealed roads shall be rehabilitated according to construction requirements for asphalt roads per City standards.
2. All replaced pavement types shall be constructed in accordance with applicable City Standards; Replacement section of pavement and crushed rock shall match existing but not be less than the minimum section specified in the City's Design

Standards (including any fabric or membranes).

3. All areas outside of the travel lanes that are affected by the work shall be restored to their original condition. All shoulders shall be restored to their original condition with a minimum 2 foot (2') gravel base rock shoulder beyond the edge of asphalt.
4. Allowable work hours are from 7:00 AM to 7:00 PM unless approved by the City.
5. Contractors shall notify adjacent property owners of any disruptions to traffic, utility service, or other inconveniences.
6. An Encroachment Permit must be obtained from the City prior to work in the right-of-way. All requirements of the encroachment permit must be met including insurance, licensure, and bonding.
7. Gravel street and alley repairs must be 4 inch (4") minimum compacted gravel, meeting the requirements of ISPWC Section 802 and City Standard Drawings.

EXCEPTIONS:

1. Valve and manhole repairs shall be exempt from the patching requirements of this policy. Valve and manhole patching requirements shall be per each City's Standards. All warranty and construction requirements shall be met. No longitudinal construction joints shall be allowed in the wheel path.
    a. Potholing to find utilities shall be allowed. To be exempt from the gap and patching policy, cuts shall be a maximum of two-feet square (2'-0") with no longitudinal joints in the wheel path and shall be backfilled with controlled density or other approved fill from six inches (6") above the utility to six inches (6") below bottom of asphalt. Round preferred. Asphalt must be removed and restored to the full extent of any sawcut. No overcuts shall remain in the roadway.

WARRANTY REQUIREMENTS

1. All roadways shall require a minimum three-year warranty period. The patch in the roadway shall be repaired as necessary until the warranty has passed. All warranties shall become void if rehabilitation work is performed to the road within the patching limits.
2. For road cuts performed by a Utility using its internal capability, that Utility or assignee will be responsible for repairs required during the warranty period.
3. All curb, sidewalks and structures that are affected by the excavation shall be included in this policy and have a warranty for three years.
4. All warranty work requires that a City inspector be on site. The permittee shall be required to coordinate inspection with the appropriate department within the City.
5. The following defects identified by the City shall be covered by warranty:
    a. Sunken or raised pavement patches greater than or equal to one-quarter inch (1/4") (Measured by a ten-foot (10') straight edge).

b. Failure to meet City visual rating standard for patching and joints to medium or high).
c. Poor workmanship.
d. Inadequate compaction.
e. Sunken, raised or damaged curb and sidewalks in excavation work area.
f. Sunken, raised or damaged drywells and catch basins in excavation work area.
g. Spalling surfaces.

6. Notice of Repairs.
   a. If emergency repairs are needed due to safety concerns, the permittee shall have twenty-four hours in which to make such repairs from time of verbal notice by the City.
   b. For non-emergency repairs on arterial roads the permittee shall have forty-eight hours to make such temporary repairs unless otherwise directed by the City Engineer.
   c. For residential streets, the permittee shall have up to seven days to make such temporary repairs.

   The City may provide for repairs not completed within the specified timeframe and permittee will be assessed all costs associated with the repairs. The costs shall be based on actual costs or the average bid items for comparable projects for the year preceding, plus ten percent overhead fees. If repairs are made other than seam sealing to the warranted patch, a new warranty will be implemented for the new patch.

   The permittee shall have two days to notify their asphalt company of the needed permanent repairs. If the work is not done in a timely manner and following notification the work shall be privately contracted or City maintenance crews will perform the needed repairs. The permittee shall be assessed the associated fees for the repairs. All utility cut construction shall follow the construction and warranty requirements per local agencies standards.

TEMPORARY PATCHING

1. During winter asphalt paving plant closures or outside of temperature specifications for concrete or asphalt (see ISPWC section 810.3.9), the permittee shall install and maintain a temporary patch until it can construct a permanent patch. A temporary patch will be required if the road must be opened to traffic before a permanent patch can be made.
2. The temporary patch shall consist of twelve inches (12”) of crushed surfacing or current City standards, and three inches (3”) of concrete pavement, or upon approval of the City Engineer, crushed surfacing top coarse and/or steel plates may be used. The permittee shall maintain the temporary patch until the patch has been permanently restored.

PERMITS

1. All work in the ‘Public Right-of Way’ requires a permit issued by the City. Permittee shall take out all permits and perform all work.

2. The permittee will be required to submit construction and traffic control plans required by local agencies when applying for a permit. If the City determines that abuse of obligations are prevalent, future construction permits shall not be issued until the permittee has fulfilled all obligations to existing permits.
3. The permittee shall provide a detailed "As-built" record of the pavement cut after construction is completed. The permittee shall provide details indicating existing pavement section, new pavement section and any unusual conditions at the location of the constructed utility. The location shall include the name of the road the work is being performed on and the name of the closest intersections in each direction. Distance measurements shall be from intersecting streets. This information will be provided to the City's Permit department for a permanent record. This information shall be returned no later than seven days after the completion of the permitted project by mail, fax, or other electronic means by either permittee or patching contractor. The intent of this process is to record small patching details. Larger projects shall be reviewed and approved prior to construction.
4. The City may require permittee to contribute normal patching costs to local agencies to accomplish paving or full depth replacement of the roadway. (This does not apply to work done within sewer projects).
5. The City should be notified of existing problems with the adjacent roadway to a proposed patch.

RESPONSIBLE PARTY

The permittee shall be responsible for all construction and warranty requirements of this policy. Utilities will provide identity of excavator/permittee as known to local agencies. Local agencies will attempt to get permittee to correct warranty defects. If permittee is a subcontractor for utilities, the utilities will assume responsibility if permittee cannot/will not make repairs.

COMPLIANCE

Failure to comply with any part of this policy may result in denial of future permits and forfeiture of bond.

Upon discovery of noncompliance, the City shall send a formal notice to comply within ten (10) working days or all future permits may be denied until the problems have been corrected.

A meeting shall be arranged with the appropriate City and a plan of action to prevent future noncompliance shall be presented before issuance of any new permits.

An appeal may be applied for in writing, per Hayden City Code 1-1-5.

Noncompliance Activities include:

1. Failure to take out a permit.
2. Failure to maintain temporary patches.
3. Failure to make permanent repairs.
4. Failure to make emergency repairs.
5. Failure to make warranty repairs.
6. Failure to send back As-Built information.
7. Failure to inform agency of asphalt completion date.

8. Failure to follow traffic control measures, as required.

EXEMPTIONS FOR MORATORIUM ROADWAYS

It is understood that field conditions may warrant a waiver or an exemption from these regulations. Developers, Contractors or Owners may appeal for a waiver of the provisions of this policy.

The exemption process outlined in this policy in no way obligates the City to allow deviations from this policy, and any such decisions are at the City's discretion.

An appeal shall incorporate the following:

- Submit a letter of intent to the City Engineer outlining the proposed project and the impact of the project.
- Establish that all alternative avenues have been investigated and fail to meet the needs of the project.
- Acknowledge the requirements of restoration of the area affected, and that there will be required special inspection, the cost of which shall be borne by the applicant of the waiver.
- Propose a meeting with the City to discuss the project.
- Establish a timeline of the project through completion.

REFERENCES

City of Hayden Standard Drawings:
https://cms2.revize.com/revize/haydenid/departments/engineering/index.php

SPECIFICATIONS FOR JOINT ADHESIVE AND CRACK SEALANT

Joint Adhesive – Hot Applied – Option 1

Joint adhesive material shall conform to the following requirements:

Test Specification

Cone Penetration, 77ºF (25ºC) (ASTM D 5329) 60 - 100
Flow, 140ºF (60ºC) (ASTM D 5329) 5 mm maximum
Resilience, 77ºF (25ºC) (ASTM D 5329) 30% minimum
Ductility, 77ºF (25ºC) (ASTM D 113) 30 cm minimum
Ductility, 39.2ºF (2ºC) (ASTM D 113) 30 cm minimum
Adhesion, 77ºF (25ºC) (ASTM D 5329) 500% minimum
Softening Point (ASTM D 36) 170ºF (77ºC) minimum
Asphalt Compatibility (ASTM D 5329) Pass
Installation: Install according to manufacturer specifications.

Joint Adhesive - CSS1/Sand – Option 2

A heavy application of tack coat (0.16 gallons per square yard) shall be applied to all vertical faces of the joints. Care shall be taken to assure that enough tack coat has been applied to seal the joint once the patch is complete. A clean sand may be needed to blot the adhesive while patching to assure that the tack coat does not track off site. It should be evident that the joint is sealed to the agency inspection staff. If the joint opens up, the contractor shall seal the joint with an approved crack sealant.

For Roadways open to traffic, the application of joint adhesive, tack coat, and crack sealant shall be limited to surfaces that will be paved during the same working shift. The spreading equipment shall be

equipped with a thermometer to indicate the temperature of the tack coat material.
Equipment shall not operate on the joints until the adhesive has cured. If the Contractor's operation damages the joint adhesive it shall be repaired prior to placement of the HMA.

The Tack Coat shall be an un-diluted CSS-1 emulsified asphalt. The tack coat shall have sufficient temperature such that it may be applied uniformly at the specified rate of application and shall not exceed the maximum temperature recommended by the emulsified
asphalt manufacturer.

Crack Sealant – Hot Poured
Hot poured crack sealant shall be rubberized and premium grade. Pre-approved products include: Crafco Roadsaver 546, Crafco Roadsaver 539 or approved equal. Crack sealant product shall be installed according to manufacturer's specifications and with the appropriate equipment.

Construction Requirements
The Contractor shall install Joint Adhesive to all joints of wearing course lifts that are not hot lapped or as designated by the Engineer. Equipment used for performing the joint adhesive application shall be maintained in satisfactory working condition at all times. Prior to the application of the joint adhesive the face of the joint shall be thoroughly dry and free from any loose material, dust, or other debris that would inhibit adhesion. Heating and pumping of joint adhesive shall be in accordance with manufacture recommendations. Application of the joint adhesive shall be in a continuous, one-eighth-inch (1/8") thick band over the entire vertical face of the joint. Joint adhesive shall be applied concurrent with HMA placement and application shall be limited to the surfaces that will be paved during the same working shift.