

Order 226-06/07
Given first reading on 5/7/07
Passage: 5/21/07 9-0

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KEVIN J. DONOGHUE (1)
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CITY OF PORTLAND
IN THE CITY COUNCIL

JAMES I. COHEN (5)
JAMES F. CLOUTIER (A/L)
JILL C. DUSON (A/L)
EDWARD J. SUSLOVIC (A/L)

AMENDMENT TO PORTLAND CITY CODE
CHAPTER 25, SEC. 119 (STREETS, SIDEWALKS AND OTHER PUBLIC PLACES)
RE: EXCAVATOR'S LICENSE FEE

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

1. *That Section 25-119 (Excavator License) of the Portland City Code is hereby amended to read as follows:*

Sec. 25-119. Excavator license.

No person or utility shall excavate in a public place without holding a valid excavator's license and obtaining a street opening permit as provided in division 2 of this article, for such work from the city. The public works authority shall issue the excavator's license upon receipt of an application therefor and the annual license fee of \$519.00, after having satisfied himself or herself of the competency and ability of the applicant to carry on the business of excavating. Persons or utilities without a previous work history with the city may be required at the discretion of the director to submit references from responsible municipal officials from other municipalities. No person or utility possessing such license shall allow his or her name to be used by any person or utility, directly or indirectly, either to obtain a permit or to do any work under this license; provided, however, that nothing herein shall be construed to prohibit a licensed excavator from doing such work through an authorized agent or employee who is directly and continuously supervised by him while in the performance thereof. A license issued to an excavator may be revoked after notice and hearing, if it is determined by the city that the licensed excavator has willfully disobeyed any portion of this article or the rules and regulations.

(Ord. No. 10-97, 6-16-97)

Cross reference(s)--Licenses and permits generally, Ch. 15.

