

CHAPTER 6

Construction Traffic Management Program

Overview

This chapter sets forth the policy and procedures to be followed by staff for the construction traffic management during the delivery of private development projects, encroachment permits and capital improvement projects. The guidelines outlined also define the roles and responsibilities of various staff involved as well as public convenience, safety and administrative penalties.

The following topics are covered within this chapter:

- Public Convenience and Safety
- Traffic Control Plans
- Administrative Penalties

SECTION 6-1

Public Convenience and Safety

PURPOSE

This section outlines the measures to be implemented to improve safety and minimize public inconvenience caused by construction activities affecting streets, sidewalks and bike facilities. Measures include public notification and outreach, minimizing the duration of closures, maintaining accessibility, and right of way coordination to minimize multiple project impacts.

DEFINITIONS / ABBREVIATIONS

ROWRight of Way

CTMPConstruction Traffic Management Plan

RCI.....Resident Construction Inspector

For additional abbreviations, please see the Abbreviations section at the end of this Manual.

POLICY

Approval to perform work or encroach within the public ROW is only to be granted after considering and incorporating requirements in the project permits or specifications which will minimize public inconvenience, improve safety, provide public notification to stakeholders, and provide for reasonable accessibility to residences and businesses.

AUTHORITY

The CTMP Engineer has the authority to implement the goals and objectives of the CTMP presented to the City Council on October 18, 2005. The CTMP Engineer implements the goals and objectives through the approval of traffic control plans and by incorporating

conditions in the project improvement plans and specifications.

The CTMP is primarily enforced by RCIs through the daily inspection of project sites. The CTMP Engineer has the authority to issue administrative penalties, pursuant to City Code, and to ensure compliance with the approved traffic control plan.

RESPONSIBILITIES

CTMP Engineer

- Reviews site conditions and determines the requirements of a CTMP.
- Implements the CTMP to ensure that the City's transportation system supports the needs of its citizens by minimizing construction impacts.
- Coordinates the involvement of project stakeholders and oversees public outreach.
- Manages the construction hotline, resolves complaints related to construction traffic violations, tracks complaints, and enforces CTMP contractor requirements.
- Consolidates the current permit tracking database and project information into one GIS based database. Oversees maintenance of the database and input of new information.

Resident Construction Inspector

- Ensures appropriate community outreach and coordination efforts in the field.
- Enforces the traffic control plans.

MINIMIZING TRAFFIC CONGESTION AND MAXIMIZING ACCESSIBILITY

CTMPs are to be developed giving consideration to traffic and pedestrian volumes, available pedestrian and bicycle routes, and peak commute hours in order to minimize traffic congestion and maximize accessibility during construction operations.

Lane closures are not to be permitted during peak commute hours unless there are no other viable alternatives. RCIs are to be proactive and be aware of the planned construction activities to ensure that contractors open lanes of traffic prior to peak commute hours. Actions to minimize congestion include the issuance of traffic alerts, placing traffic signals on flash, and providing a community service officer to direct traffic in intersections. Timely notification, as soon as practicable, is to be provided to the Traffic Operations Center, adjacent businesses and residences, the CTMP Engineer, and stakeholders who may be directly affected.

Bike lanes and pedestrian walkways are to remain open whenever possible. Construction trailers are not to be placed in the ROW if they result in bike and pedestrian facility closures. Pedestrian access detours and closures are to be in compliance with Section 10-3, Pedestrian and ADA Construction Zone Plans.

The CTMP Engineer is to ensure that all reasonable requirements are included in the project plans and specifications, the permit conditions, and the traffic control plans prior to approval. Requiring night and weekend work to minimize traffic congestion is a reasonable requirement where there are no adjacent residences and other noise restrictions.

COORDINATION WITH INTERNAL AND EXTERNAL CUSTOMERS

The CTMP Engineer is to coordinate with various internal and external customers as necessary to inform stakeholders of proposed construction activities and to incorporate or mitigate any concerns that may arise.

Internal and external customers include:

- Street Maintenance
- Utilities Department
- On and Off Street Parking
- Economic Development
- Downtown Partnership
- Regional Transit, Yolo Bus, Roseville Transit
- Sacramento Housing and Redevelopment Agency
- Convention, Culture, and Leisure
- Special Events Coordinator
- Businesses and Residents

The CTMP Engineer is to attend the right of way coordination meeting to discuss proposed construction activities and to avoid cumulative impacts resulting from multiple construction projects or activities in the same vicinity, or conflicts with special events.

The CTMP Engineer is to work toward tracking and monitoring the construction work on a daily basis thru the input of data into a data base and through creating GIS based maps.

PUBLIC OUTREACH

The CTMP Engineer is to ensure that conditions are included in the permit and traffic control plans which will cause adjacent businesses and residences that may be affected by the work to be notified of planned construction activities in a timely manner. Should the work encompass a broad area or has the potential to affect many residents, the CTMP Engineer is to contact the Public Information Officer to determine whether a Media Release is warranted.

The CTMP Engineer will coordinate with the RCIs to ensure that the permit conditions and traffic control plan is being adhered to. The CTMP Engineer is to perform weekly field inspections to ensure that the Construction Permit Number and Construction Hotline Number (808-6600) is posted at all construction sites. The CTMP Engineer is to respond to all complainants who have called in to the Construction Hotline number in a timely manner.

SECTION 6-2

Traffic Control Plans

PURPOSE

This section outlines the process for the review and approval of traffic control plans.

DEFINITIONS / ABBREVIATIONS

ROWRight of Way

TCP.....Traffic Control Plan

CTMP.....Construction Traffic Management Program

RCI.....Resident Construction Inspector

For additional abbreviations, please see the Abbreviations section at the end of this Manual.

POLICY

All projects within the ROW must have approved traffic control plans on file with the Encroachment Permit Group before beginning work. Traffic control plans are to be approved after careful consideration of safety, public convenience issues, and coordination with affected residents, businesses, and stakeholders.

The CTMP Engineer is to approve and oversee the enforcement of traffic control plans as part of the Traffic Control Management Program.

AUTHORITY

The CTMP Engineer is authorized to review and approve traffic control plans under the direction of the Supervising Engineer within the Construction Section. The CTMP Engineer also has the authority to issue administrative penalties.

The RCI has the authority to issue field orders to modify the TCP should there be a need due to field conditions.

RESPONSIBILITIES

CTMP Engineer

- Reviews and approves traffic control plans.
- Identifies developer's needs, street use requirements, and construction schedules.
- Coordinates with City staff, businesses, special events coordinator, and other stakeholders to resolve issues related to scheduling, storage of materials, duration of street use, and permit requirements.
- Ensures the enforcement of traffic control plans, encroachment permits, and development permit requirements related to construction operations.
- Provides outreach to contractors and creates informational brochures detailing permit requirements and the purpose of the administrative penalty ordinance related to construction.
- Determines ways to measure the success of the process improvements, and provides continuous identification and implementation of additional process improvements.

Resident Construction Inspector

- Inputs data and maintains a readily accessible database updated daily, and creates and distributes GIS based maps indicating the location of current and proposed development projects.

- Tracks “street use” permits and the duration of time for street, pedestrian, and parking lane closures.
- Determines “street use” administration fees.
- Responds to hotline complaints when requested by CTMP Engineer.
- Provides field support to resolve traffic related issues, logs in complaints, and records actions taken to resolve issues.
- Provides field support and assists in obtaining traffic flow information during the review and approval of traffic control plans.
- Inspects projects and encroachment permits, and enforces specific requirements of the traffic control plans such as the display of the permit number and construction hotline number.

COMPONENTS OF A TRAFFIC CONTROL PLAN

The following elements are required to be submitted as part of the TCP:

- The name and business address of the applicant.
- A diagram showing the location of the proposed work area.
- A diagram showing the location where the public ROW will be closed or obstructed.
- A diagram showing the placement of traffic control devices necessary to perform the work.
- The proposed phases of traffic control.
- The time periods when work will prohibit access to private property from a public ROW.
- A statement that the contractor must comply with the City’s noise ordinance during the performance of all work.
- A statement that the TCP may be modified at any time in order to eliminate or avoid traffic conditions that are hazardous to the safety of the public.

SUBMITTAL PROCESS

The applicant must submit a complete TCP to the RCI at least one week prior to closing any travel ways. The schedule for the closure is to be discussed at the weekly ROW Coordination Meeting typically held on Wednesday afternoon. The RCI is to review the TCP for completeness. If the TCP is complete, the RCI submits the TCP to the CTMP Engineer for review and approval; otherwise, the RCI returns the TCP to the applicant for corrections. If appropriate, the RCI is to notify the CTMP Engineer that a request to close streets has been made, when the work is requested to begin, and to consider discussing the information at the ROW Meeting.

As part of the approval process, the CTMP Engineer is to minimize the time of the proposed closure.

The CTMP Engineer must review the proposed traffic signing and markings to ensure that the technical information complies with the “W.A.T.C.H.” Handbook, California M.U.T.C.D., and other applicable standards. The CTMP Engineer is also to determine the special provisions which will minimize public inconvenience. The CTMP Engineer may stamp the TCP “not approved”, “approved”, or “approved as noted”. The CTMP Engineer is to return the approved TCP to the RCI for delivery to the applicant. With the exception of complex projects and long term closures, the review process is to be completed within five working days of the time of a complete submittal.

FIELD MODIFICATIONS

The RCI is responsible for ensuring that once implemented, the project traffic control measures are safe, adequate, and reasonable. The RCI must direct the person performing work to make modifications if the TCP conditions appear to be unsafe or if congestion or confusion is apparent. The RCI is to report deviations to the CTMP Engineer, and to document the modifications in writing on the contractor/permittee’s TCP that is on-site.

SECTION 6-3

Administrative Penalties

PURPOSE

This section describes the process for enforcing the administrative penalty ordinance related to work in the public right of way, and for issuing administrative penalties to persons performing work without an approved traffic control plan or for persons not conforming to their permit conditions pursuant to City Code.

DEFINITIONS / ABBREVIATIONS

ROWRight of Way
CTMPConstruction Traffic Management Program
RCI.....Resident Construction Inspector
CIPCapitol Improvement Program Project

For additional abbreviations, please see the Abbreviations section at the end of this Manual.

POLICY

Administrative penalties related to work being performed in the public right of way are to be issued in accordance with this section, and Sections 1.28 and 12.20 of the City Code.

AUTHORITY

The CTMP Engineer has the authority to issue administrative penalties pursuant to the City Code.

RESPONSIBILITIES

Resident Construction Inspector

- Informs the contractor and subcontractor of the Administrative Penalty Ordinance provisions at the preconstruction meeting.
- Issues written warnings to contractors and submits to CTMP Engineer.
- Takes photographs, provides write up in Daily Report and documents the City Code violations.
- Completes the administrative penalty citation, obtains the CTMP Engineer's signature, and issues the citation to the person violating the City Code.

CTMP Engineer

- Ensures that the process for administering penalties is being followed by construction inspection staff.
- Reviews the administrative penalty citation to ensure that the appropriate City Code violation is indicated, the information is complete, and that photographs and daily reports are attached.
- Signs the administrative penalty citation.
- Tracks the citations issued and the contractors who have been cited.
- Monitors the collection and payment of penalties; or for CIP projects, the deduction of penalties through the issuance of a change order.

CITY CODE VIOLATIONS

Separate administrative penalties can be issued for each fifteen (15) minute period for the following violations of the Code:

- No person shall perform any work that will obstruct vehicular or pedestrian traffic on a City street unless a traffic control plan has been approved, except in the case of emergency repairs.
- All work requiring a traffic control plan shall conform to the conditions and requirements of the approved plan.

Separate administrative penalties can be enforced each day of violation for the following violations:

- Emergency repairs that obstruct vehicular or pedestrian traffic on a City street shall be reported to the construction help desk (808-6600) not later than one hour after the need for the emergency repairs is determined. If the emergency repairs obstruct vehicular or pedestrian traffic on a City street outside of City working hours, the construction help desk shall be notified of the closure or obstruction not later than 9:00 a.m. on the next working day.
- Where a traffic control plan is required, the approved plan must be available at the site for inspection during all work.
- No person performing work shall cause any public ROW, public street, public property, or public easement to be covered with construction related trash, debris, garbage, waste material or soil. Public ROW, public streets, public property and public easements affected by work must be cleaned to the satisfaction of the City prior to re-opening these areas to the public.
- Trench plates shall not be utilized for more than three calendar days in one location and temporary surfacing shall not be utilized for more than five calendar days in one location without prior written approval.

- All persons performing work shall repair or replace, to previous condition or better, all existing traffic control system markers or devices that are damaged or destroyed during work within three calendar days of the completion of work in the immediate area unless written direction extending the time period or relieving the persons performing work of this obligation is provided.
- All persons performing work shall take reasonable precautions not to damage or destroy existing known facilities.
- All persons performing work shall conform to any public notification requirements included in the permit, contract documents, or approved plans. If notification is required, at a minimum, persons performing work shall notify residents and businesses immediately adjacent to the project work in writing two working days in advance of beginning work. The notice shall be approved, shall describe the work to be performed, the anticipated duration of construction, and the name and daytime telephone number of the person performing the work.

Administrative penalties shall contain the following information:

- The name and address of the violating party, if known.
- The location, date, and time of the violation.
- A description of the act(s) or condition(s) in violation.
- The amount of the administrative penalty, with instructions for submitting payment to the City.
- A statement indicating that the administrative penalty may be appealed, by filing a written notice of appeal with the City Clerk no later than twenty (20) days after the order is issued to the violator.
- A statement indicating that the order imposing the administrative penalty shall

be final if it is not appealed within the time required.

- A statement indicating that a party upon whom a final administrative penalty has been imposed may seek review of the order imposing the penalty.

INFORMATION AND OUTREACH

The RCI is to inform the owner, contractor and subcontractors at the preconstruction meeting of the Administrative Penalty Ordinance. The RCI is also to monitor the contractor's progress and provide courtesy reminders that a traffic control plan is required prior to closing any streets, alleys, or sidewalks.

WARNINGS

Should a violation occur, the RCI is to determine whether a warning is appropriate rather than a penalty for the first violation. The warning is to be in writing (see Attachment 1) and a copy is to be provided to the CTMP Engineer for monitoring compliance purposes. If a second violation occurs by a person representing or working on behalf of the General Contractor and/or subcontractor, an administrative penalty citation is to be issued. The citation is to be in writing. Persons working in the right of way or persons representing a General Contractor, or subcontractor who knowingly cause traffic congestion, public inconvenience, or fail to cooperate are to receive an administrative penalty citation without a warning.

ISSUING ADMINISTRATIVE PENALTY CITATIONS

Potential violations may be identified by the RCI, City staff, or a citizen calling in a complaint. Once a potential violation occurs, the assigned RCI is to be identified, and contacted to investigate and respond. If the RCI is not available, the CTMP Engineer is to respond. If the project is under the direction or responsibility of a section other than the Construction Section of DOT, the RCI of the department responsible for the project is to be contacted to meet in the field.

If the situation is an emergency that causes a safety concern, a RCI, CTMP Engineer, or City construction inspection staff or traffic engineering staff is to respond to the matter immediately by directing the contractor to correct the problem. Any directions to the contractor are to be documented by the City staff providing direction to the person performing the work.

The RCI, or CTMP Engineer if the RCI is not available, is to respond by taking the following actions:

- Assessing the situation to determine if a violation has occurred and whether a warning or a citation is to be issued.
- Taking photographs and providing written documentation supporting the determination.
- Issuing a warning or citation to the person performing the work if warranted.

If a citation is to be issued, the RCI is to complete the citation, obtain the CTMP Engineer's approval, and issue the citation to the person violating the City Code. The citation is to be issued as soon as possible, but must be accurate and complete.

APPEALS

Any person who wishes to appeal an administrative penalty citation can do so by filing an appeal with the City Clerk. Once an appeal is filed, the RCI is to prepare a brief. The brief is to include a summary of the incident, the citation, photographs, daily report, and field orders, if given. The brief is to be provided to the City Attorney's Office for review. The City Attorney will then contact the Mc George School of Law to schedule an administrative hearing. The City Attorney is to provide a copy of the brief to the Hearing Officer two weeks prior to the hearing. Timely notification is to be provided to the person cited pursuant to City Code.

The CTMP Engineer and RCI are to attend the hearing. The CTMP Engineer is to present the brief to the Hearing Officer and answer general City Code questions. The RCI is to answer specific questions relating to the violation. The CTMP Engineer may request the City Attorney to

be present if there are circumstances that warrant his/her presence.

The Hearing Officer is to render his/her decision within thirty days.

ATTACHMENT

Attachment 1: Sample Citation

Sample Citation

ORDER IMPOSING ADMINISTRATIVE PENALTY
FOR TRAFFIC OBSTRUCTION
(Sacramento City Code 1.28.010)

PENALTY AMOUNT: _____ DATE OF ISSUANCE: _____ TIME: _____ AM / PM

PAYMENT DEADLINE: _____, 20____ (25 calendar days after date of issuance)

Location of Closure or Obstruction: _____

Description of Closure or Obstruction: _____

License Number(s) of Vehicles(s) Involved: _____

Other Information: _____

Owner or Person in Charge at Site: _____

Print Name

Phone Number

Signature

CODE SECTION VIOLATION	VIOLATION	CHECK VIOLATION	CHECK VIOLATION
12.20.020A	Violation of authorization to work within the City Right of Way. Issuance of an approved traffic control plan. 12.20.020A (citable every 15 minutes)	<input type="checkbox"/>	\$1000.00
12.20.020B	Violation of notification for emergency repairs. 12.20.020B	<input type="checkbox"/>	\$1000.00
12.20.020C	Violation of nonconformance to conditions and requirements of approved traffic control plan. 12.20.020C (citable every 15 minutes)	<input type="checkbox"/>	\$1000.00
12.20.020D	Violation of approved traffic control plan at work site at all times. 12.20.020D	<input type="checkbox"/>	\$1000.00
12.20.040	Violation of maintenance of construction area. 12.20.040	<input type="checkbox"/>	\$1000.00
12.20.050	Violation of repair to traffic control systems. 12.20.050	<input type="checkbox"/>	\$1000.00
12.20.060	Violation of care of existing known facilities. 12.20.060	<input type="checkbox"/>	\$1000.00
12.20.070	Violation of public notification of work. 12.20.070	<input type="checkbox"/>	\$1000.00
8.68.60	Violation of noise levels exceeding noise standards. 8.68.60	<input type="checkbox"/>	\$1000.00

TO RESPONSIBLE PARTY: Name _____
Address: _____

YOU ARE HEREBY ORDERED TO PAY to the City of Sacramento an administrative penalty for closing or obstructing vehicular or pedestrian traffic in the amount of _____.

Payment must be received by the City of Sacramento at 915 I Street, Room 2000, Sacramento, CA 95814 on or before the Payment Deadline set forth above. This administrative penalty is a personal obligation, and failure to pay the penalty may result in the amount being made a lien and/or special assessment against your property, as well as other legal action to collect the penalty. If a judicial action is required to collect the penalty, the City will seek to recover its attorney fees and costs from you.

DIRECTOR OF TRANSPORTATION OR DESIGNEE (Signature)

2005 - AP -

White Copy Office - Yellow Copy Violation Recipient - Pink Copy Traffic

YOUR RIGHTS TO APPEAL

You may appeal the imposition of this administrative penalty **within 20 calendar days** after the date this order is served upon you by filing with the office of the City Clerk a written notice of appeal and paying a nonrefundable appeal fee in the amount of \$50.00. Your appeal must be filed in accordance with the requirements of Sacramento City Code .1.24.010. **If you fail to appeal within 20 days, this order shall be final.** Any responsible party who files an appeal may seek review of any order entered as a result of the appeal pursuant to California Code of Civil Procedure sections 1094.5 and 1094.6.

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