

Order 249-14/15

Amended to add Emergency enactor: 9-0

Final Passage: 9-0 on 6/24/2015

Effective 7/5/2015

MICHAEL F. BRENNAN (MAYOR)  
KEVIN J. DONOGHUE (1)  
DAVID A. MARSHALL (2)  
EDWARD J. SUSLOVIC (3)  
JUSTIN COSTA (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

DAVID H. BRENERMAN (5)  
JILL C. DUSON (A/L)  
JON HINCK (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**AMENDMENT TO PORTLAND CITY CODE  
CHAPTER 25, STREETS, SIDEWALKS AND OTHER PUBLIC PLACES  
ARTICLE VII. EXCAVATIONS, SECTION 25-119  
Re: Excavator License Fee**

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

*That Chapter 25, Article VII, Section 25-119 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 ~~\$595.00~~596.00, 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.

**BE IT FURTHER ORDERED,** that this amendment is enacted as an  
Emergency, pursuant to Article II, Section 11 of the  
Portland City Charter, in order to make it effective  
on July 5, 2015.