



**Town of Framingham
Board of Selectmen**

Policy on Traffic Signal Permitting Process Chapter 689 of the Acts of 1986

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Type of policy: New (x) Amendment ()

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Level: Department () Division () Town Wide (x)

Policy Statement

This policy sets out the rules and regulations relative to or in connection with the erection or maintenance of traffic control signals, traffic devices or other means or mechanisms for the control of traffic (hereinafter Traffic Signaling Systems or Devices) under the jurisdiction of the Board of Selectmen according to the provisions of Chapter 85 of the General Laws as amended by c. 689 of the Acts of 1986 or as my hereafter be amended.

References

Massachusetts General Laws, Chapter 85, as amended, Sections 2, 4, 6, 8.

Massachusetts General Laws, Chapter 40, as amended, Section 22F

Special Terms

All terms used herein shall have the same meaning as when they are used in the referenced authority, and, where applicable, in the Massachusetts Manual for Uniform Traffic Control Devices ("MUTCD").

Policy Description

Before any Traffic Signaling System or Device may be installed, modified or replaced within the Town of Framingham in any public way or at any other location within the jurisdiction of the Board of Selectmen, an application for a permit covering such work must be filed as prescribed herein and approved by the Board of Selectmen. No other Board or agency of the Town is authorized to issue such a permit or to authorize such work within the Town.

I. Procedure for Obtaining a Traffic Control Signal Permit

1. Before beginning any work shown in or required to be shown in the application required to be filed under this policy, every persons seeking authorization to install, modify or replace a Traffic Signaling System or Device within the Town of Framingham under this policy must file with the Traffic & Roadway Safety Committee (“TRSC”) an application for a Traffic Control Signal Permit (“a Permit Application”) with such supporting information as may be required by the TRSC to enable it to make the recommendation to the Board of Selectmen described below, together with a preliminary or conceptual plan bearing the seal and signature of a registered professional engineer in the Commonwealth of Massachusetts having professional training or experience in the field of traffic design and engineering.
2. At the time of filing such an application, the applicant must pay to the Town Treasurer an application fee in the amount fixed from time to time by the Board of Selectmen in accordance with Massachusetts General Laws c. 40, Section 22F, and the Treasurer’s receipt for such fee must accompany the application. In addition the application fee, if and when the applicant receives the preliminary permit referred to below, the applicant shall pay to the Town Treasurer an additional fee in the amount set by the Board of Selectmen when the preliminary permit is granted which will reasonably approximate the cost to the Town of reviewing the plans and specifications pertaining to the proposed work and the subsequent inspection and testing of the work.
3. After such an application is filed, the TRSC will hold a public hearing on the application at a duly posted meeting of the TRSC and will notify the applicant of the date and time of such hearing. Not later than two weeks after filing an application, the applicant must send notice in writing by certified mail, return receipt requested, to the owners of all property any portion of which is within five hundred (500) feet of the proposed installation. The names and addresses of such owners shall be identified according to the records of the assessors of the Town of Framingham. The notice must describe the work to which the application relates, state the date, time and place of the public hearing, and state that the application and supporting information may be examined at the office of the Town Safety Officer during normal business hours.
4. Within sixty (60) days after filing such application, the TRSC will issue a recommendation to the Board of Selectmen as to whether such application should be approved and, if so, upon what terms and conditions. The recommendation of the

- TRSC should state the reasons for the proposed system or device and describe its foreseeable impact upon the control and flow of traffic likely to be affected by the system or device. The applicant may obtain a copy of the recommendation when it is issued and should be prepared to discuss the recommendation when the applicant makes its presentation to the Board of Selectmen.
5. At a date and time set by the Board of Selectmen, the applicant must appear in person or through its attorney, or other authorized representative to state the reason for the proposed work and to present supporting information. It is strongly recommended that the applicant's presentation be made or supported by a registered professional engineer in the Commonwealth of Massachusetts having professional training or experience in the field of traffic design and engineering and having responsibility for the design of the proposed work (the "Project Traffic Engineer"). Depending upon the complexity of the proposed work and the nature of its impact upon traffic control and flow, the Board may require the presentation to be made by the Project Traffic Engineer.
 6. If the Board of Selectmen denies the application, the Permit will not be issued. If the Board of Selectmen gives preliminary approval to the application, a permit number will be issued bearing the designation "Temporary". The permit will be substantially in the form attached to this policy. The permit number, including the designation "Temporary" must be shown on all documents pertaining to the work described in the application, including, for example, the design set of prints issued to the TRSC and the Fire Department. All permits and other documents issued by the Town relating to the work will show the same number.
 7. Promptly after a preliminary approval is granted, the applicant must submit the plans and specifications to the TRSC and the Fire Department for detailed review. During such review the applicant must make available to the Town's reviewing personnel such additional information as may be required to perform the review, including the opportunity to consult with the Project Traffic Engineer. If the plans are not approved, the permit will not be issued. The applicant has the right to resubmit a revised application and supporting documents directly to both the TRSC and the Fire Department for further consideration. If the revised plans are recommended to the Board of Selectmen for approval, the Board will conduct further proceedings consistent with the foregoing in order to decide whether a Permit will be granted and the applicant authorized to proceed with the construction phase.
 8. If the Board of Selectmen denies the application, the permit will not be granted. If the Board of Selectmen approves the application, the applicant may proceed to the construction phase. Before commencing construction, the applicant must obtain a permit from the Fire Department and a Street Opening permit from the Board of Selectmen. The construction must be performed under the direction of the Project Traffic Engineer or, with the approval of the Fire Department, by another engineer registered with the Commonwealth of Massachusetts and having professional training or experience in the field of traffic design, engineering and installation.

9. Upon completion of the installation, the contractor shall submit a letter to the Project Traffic Engineer verifying that the work has been completed in accordance with the approved plans and specifications. The Project Traffic Engineer shall verify the information and submit a letter to the Town Engineer (with copies to the Fire Department and the Police Department) stating that the installation has been completed in accordance with the approved plans and specifications and, if applicable, to the requirements of the MUTCD and requesting that the acceptance testing process be scheduled. The acceptance testing process shall be as established by those departments consistent with the nature and complexity of the Traffic Signaling System or Device and may include an appropriate trial period.
10. Upon satisfactory completion of the acceptance testing process, and any required trial period, the Fire, Police, and Engineering Departments will issue a Certificate of Completion in the form attached to this policy. Upon issuance of the Certificate of Completion, the Town Manager or his designee will inform the Board of Selectmen that the installation covered by the Temporary Permit has been completed in accordance with the plans and specifications and other applicable requirements. The Board of Selectmen will authorize the removal of the “Temporary” designation from the previously issued permit and the applicant will file the Certificate of Completion bearing the permit number with the Town Clerk.

II. Procedure for Obtaining a Permit for Modifications to Existing Signaling Systems or Devices

1. Before any Traffic Signaling System or Device may be modified or replaced, every person seeking to perform such work must comply with the following procedures. An application for a Modification Permit containing a complete description of the proposed work, and a plan and specifications for the work bearing the seal and signature of a registered professional engineer in the Commonwealth of Massachusetts having professional training or experience in the field of traffic design and engineering (“the Project Traffic Engineer”) must be submitted to the Fire, Police and Engineering Departments for review together with a fee in the amount set by the Board of Selectmen. The application must show the number of any permit previously assigned to the system or device or state that no permit has been previously issued for the system or device. No modifications to any such system or device may be made until the Modification Permit and the plans and specifications have been approved by each of these departments. If any department denies the application the reasons for the denial will be given to the applicant. If the applicant resubmits the application it shall state the changes made to accommodate the reasons for denial. If all departments approve the application, the following procedure must be followed.
2. The Fire Department will issue a Modification Permit authorizing the approved work and the applicant must obtain a Street Opening Permit from the Board of Selectmen before commencing the work.

3. The work must be performed under the direction of the Project Traffic Engineer or, with the approval of the Fire Department, by another engineer registered with the Commonwealth of Massachusetts and having professional training or experience in the field of traffic design, engineering and installation. Upon completion of the installation, the contractor shall submit a letter to the Project Traffic Engineer verifying that the work has been completed in accordance with the approved plans and specifications. The Traffic Engineer shall verify the information and submit a letter to the Town Engineer (with copies to the Fire Department and Police Department) stating that the modification has been completed in accordance with the approved plans and specifications and, if applicable, to the requirements of the MUTCD and requesting that the acceptance testing process be scheduled.

4. The acceptance testing process shall be as established by the Fire, Police and Engineering Departments consistent with the nature and complexity of the approved modifications and may include an appropriate trial period. Upon satisfactory completion of the acceptance testing process, the procedure stated in Section 10 of the portion of this policy relating to the procedure for obtaining a Traffic Control Signal Permit will apply. If a Permit Number has not previously been issued for the system or device to which modifications have been made, such a number will be issued by the Board of Selectmen and the applicant will file the Certificate of Completion bearing the permit number with the Town Clerk.