

# TOWN OF LEE

Building Inspections Department  
Town Hall  
32 Main Street  
Lee, MA 01238  
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[www.lee.ma.us](http://www.lee.ma.us)

## TRENCH SAFETY REGULATIONS

EFFECTIVE MARCH 1, 2009

### Excavators:

Trench safety regulations will be implemented and enforced as of March 1, 2009. Passed into law, specifically M.G.L. 82A it is known as "Jackie's Law".

**History:** Jaclyn Moore was a 4 year old girl who died in 1999 when an open, unattended trench collapsed on her while playing in her neighbor's yard in Bridgewater.

The law applies to excavators and sets forth actions excavators must take to protect the general public when creating a trench.

A trench is defined by any excavation greater than 3 feet in depth and less than 15 feet in width.

Excavators must submit a completed application together with the permit fee to the issuing authority **prior** to commencing work.

**The Selectboard has approved the following: The issuing authority for all trenching conducted on public ways and public property will be the Lee Department of Public Works. The issuing authority for all trenching conducted on private property will be the Lee Building Department.**

**Permit applications shall be submitted in person or mailed to 32 Main Street, Lee, MA 01238. The envelope shall be titled, "D.P.W. Trenching Permit" or "Building Dept. Trenching Permit".**

A nominal fee of \$ 35.00 per permit has been proposed to cover the cost of administrative services. Only one permit is required when the trench is located on both public and private property, the D.P.W. will be the issuing authority in these cases.

Rules and regulations as well as a section on frequently asked questions can be located on the Department of Public Safety website at [www.mass.gov/dps](http://www.mass.gov/dps).

D.R.Torrico  
Building Commissioner

C. Pompei  
Department of Public Works