

**APPLICATION FOR RIGHT-OF-WAY PERMIT
(UTILITY PROVIDER – CONSTRUCTION OR MINOR MAINTENANCE)
(Ord. 951.106 et seq.)**

Permit No. _____

Application Date: ____/____/____

Permit Expires: ____/____/____

APPLICANT INFORMATION

Applicant Name (printed): _____ Signature: _____

Company Name: _____ Phone: _____

Company Street Address: _____

City/State/Zip: _____

If Applicant is a contractor, Utility Provider for whom work will be performed:

PROJECT INFORMATION

Project location: Paved ROW Unpaved ROW Permit type: Construction Minor Maintenance

Street Address/Location of Project/Parcel No.: _____

Estimated start date: ____/____/____ Estimated completion date: ____/____/____

Description of work: _____

Required attachments (SEE INSTRUCTIONS):

FOR CONSTRUCTION PERMITS:

- Permit fee made payable to the City of Oakwood (to be submitted upon permit approval and prior to performing any work);
- Written authority to apply for permit on behalf of a registered Utility Provider (contractors only);
- Scale drawing of proposed work, number and location of pavement cuts, location of all existing and proposed Facilities, and certification that the proposed project complies with applicable codes, rules, and regulations;
- Traffic control plan;
- Facility-specific information (existing and proposed, including excess capacity documentation);
- Preliminary construction schedule and completion date;
- Payment of any prior unpaid amounts due to the city;
- Construction Bond and Removal Bond, if applicable; and
- Certificate(s) of comprehensive liability insurance, automobile liability insurance, and umbrella insurance coverage (contractors only)

FOR MINOR MAINTENANCE PERMITS:

- There is NO permit fee;
- Written authority to apply for permit on behalf of a registered Utility Provider (contractors only); and
- Traffic control statement.

FOR OFFICIAL USE ONLY

Complete application Fee paid (\$_____) Certificate of Insurance Bond (Amount \$_____) Inspection card

Permit Approved by: _____ Date: ____/____/____

Comments/Conditions: _____

RIGHT-OF-WAY PERMIT APPLICATION INSTRUCTIONS (Ord. 951.106 et seq.)

The following information is provided to assist you in completing an application for a Right-of-Way Permit. It is intended to summarize certain provisions of Oakwood Ord. Chapter 951 ("Chap. 951"), but all utility providers should familiarize themselves with the specific requirements under Chap. 951.

Permit applications may be submitted in person at the Foell Public Works Building, 210 Shafor Boulevard, Oakwood OH 45419, or electronically by emailing the application and all required attachments to service-department@oakwood.oh.us. Work may NOT begin until you receive notification that your application has been approved AND your permit fee has been paid.

Additionally, all work is subject to incremental inspections and MUST have a Final Inspection. All inspections must be scheduled during regular business hours, at least 48 hours in advance, by calling Tom Long, Engineering Technician, at 937-298-0777.

DO YOU NEED A CONSTRUCTION PERMIT OR A MINOR MAINTENANCE PERMIT?

There are two types of permits under Chapter 951. These are **Construction Permits** and **Minor Maintenance Permits**. All ROW work requires a permit.

A Construction Permit is required if the project includes "construction."

- Under Chapter 951, construction includes, but is not limited to, digging, boring, tunneling, trenching, excavating, obstructing, installing wires, installing conduit, installing pipes, installing transmission lines, installing poles, installing signs, or installing Facilities, other than landscaping or ornamental plantings in, on, above, within, over, below, under, or through any part of the Rights-of-Way. This includes opening and/or cutting into any paved or improved ROW surface that is part of the Rights-of-Way. (If there is any question about whether a project constitutes "construction," the Engineering Technician should be consulted.)

A Minor Maintenance Permit is required for any ROW work that fits in one of the following categories:

- A routine repair/replacement that does not involve "construction" (see definition, above) and does not require more than 30 minutes of traffic control.
- Construction that does not require street lane or sidewalk closures, and does not involve cutting any street, pavement, curb, or sidewalk. For thoroughfares and arterial streets, the work must be done in one (1) day between the hours of 9:00 a.m. and 3:00 p.m. In other locations, the work must take less than 8 contiguous hours to complete.

There is a fee for **Construction Permits**. There is NO fee for **Minor Maintenance Permits**.

APPLICATION INFORMATION AND ATTACHMENTS

For all permit types –

Applicant Information Each applicant must provide their correct legal name, company name, and all requested contact information. If you are a contractor doing work for a registered utility provider, please indicate the name of that provider.

Project information Please designate whether the proposed work will take place in PAVED or UNPAVED right-of-way (ROW) area, as well as the street address, location, parcel ID, or other information sufficient to identify where the work will be performed. Please also designate whether you are requesting a CONSTRUCTION permit or a MINOR MAINTENANCE permit. (See above if you are unsure which permit type applies.) Estimated start and completion dates should be indicated, as well as a brief narrative description of the work to be performed.

For Construction Permit applications –

1. **Permit fee** The correct permit fee must be included with the permit application. Currently, permit fees are \$55 for projects in unpaved ROW and \$105 for projects in paved ROW areas. If your project will encompass both paved and unpaved areas, the project is considered a paved ROW project. Permit fees are calculated on a per-job-location or per-cut basis. However, the Engineering Technician may allow multiple cuts to be included in a single permit if, in his professional judgment, the cuts are located in such close proximity to each other that they can be overseen by the Public Works Department as a single project, and will consume no more administrative resources than a single project.

2. Authority to apply for permit. If you are a utility provider holding a current Certificate of Registration with the city of Oakwood, no additional authority needs to be attached. If you are a contractor, you must provide written authorization from a current Certificate-holder authorizing you to apply for a permit to perform work for that Certificate-holder.
3. Scale drawings and other project-specific information. Please attach detailed information about your proposed project, including scale drawing(s), number and location of pavement cuts, location of all existing and proposed utility facilities, and certification that the proposed project complies with applicable codes, rules, and regulations. An applicant must demonstrate adequate levels of insurance coverage. The certification must be signed by a Professional Engineer or other technical professional satisfactory to the city of Oakwood.
4. Traffic control plan. Each applicant is required to submit a traffic control plan, consistent with the Ohio Manual of Uniform Traffic Control Devices.
5. Facility-specific information. Depending on the type of work being performed, the city of Oakwood requires the following information concerning existing and proposed facilities and excess capacity:

For above-ground installation on existing poles, information showing:

- Size and height of existing poles;
- Excess capacity currently available on existing poles; and
- Excess capacity that will exist after installation.

For new pole installation, information showing:

- Lack of excess capacity on existing poles or underground systems;
- Lack of financial or technical feasibility to locate Facilities on existing poles or to make a new underground installation;
- Location, size, height, color, and material of proposed pole(s); and
- That the applicant will comply with all laws concerning installation of new poles;

For underground installation in existing underground systems, information showing:

- Excess capacity currently available in the existing system; and
- Excess capacity that will exist after installation;

For underground installation in a new underground system, information showing:

- Location, depth, size, and quantity of proposed new ducts or conduits; and
- Excess capacity that will exist after installation;

6. Preliminary construction schedule and completion date. Please be as specific as possible.
7. Payment of any unpaid prior amounts due to the city of Oakwood. Please be advised that we cannot approve your permit if you have outstanding financial obligations to the city.
8. Construction Bond. A bond (or substantially equivalent letter of credit and/or blanket bond) is required for all construction unless you are a registered utility provider that has been approved for self-bonding. The amount is determined by the Engineering Technician, and is based on the value of your project and other factors allowable by law. Please consult with the Engineering Technician to determine the appropriate amount for your bond, if applicable.
9. Insurance attachment(s) An applicant must demonstrate adequate levels of insurance coverage. This may be accomplished by providing certificate(s) of insurance as described below, or in certain circumstances, an applicant may be approved for self-insurance.
 - a. Certificates of Insurance Certificate(s) of insurance must verify that current policy(ies) providing for comprehensive general liability, automobile liability, and excess umbrella coverage has/have been issued to the applicant by an insurance company licensed to do business in the State of Ohio. The certificate(s) must also verify that the applicant's coverage conforms to the following requirements:
 - i. The applicant must be insured on an occurrence basis against claims for personal injury (including death), as well as claims for property damage arising out of: the use and occupancy of city rights-of-way by the applicant, its officers, agents, employees and contractors; the placement and use of facilities in city rights-of-way by the applicant, its officers, agents, employees and contractors, including, but not limited to, protection against liability arising from any and all operations, damage of underground facilities, explosion, environmental release, and collapse of property.
 - ii. The applicant's insurance must name the city of Oakwood, its elected officials, officers, employees, agents and volunteers as additional insureds for whom defense will be provided as to all such coverages.
 - iii. The applicant's insurance must require that the city of Oakwood be notified thirty (30) days in advance of cancellation of, or coverage changes in, the policy(ies).

- iv. The policy(ies) must contain the following endorsement: "It is hereby understood and agreed that this policy may not be diminished in value, be canceled, nor the intention not to renew be stated, until thirty (30) days after receipt by the City, by registered mail, return receipt requested, of a written notice addressed to the City Manager or her/his designee of such intent to cancel, diminish, or not to renew."
- v. The applicant's insurance must provide the following minimum limits of liability:

Comprehensive general liability insurance

Bodily injury

Each occurrence: One Million Dollars (\$1,000,000)

Annual aggregate: Three Million Dollars (\$3,000,000)

Property damage

Each occurrence: One Million Dollars (\$1,000,000)

Annual aggregate: Three Million Dollars (\$3,000,000)

Personal Injury

Annual aggregate: Three Million Dollars (\$3,000,000)

Property damage

Must include E (explosion), C (collapse), and U (underground) coverage

Comprehensive auto liability insurance

Must cover owned, hired, and non-owned vehicles

Bodily injury

Each occurrence: One Million Dollars (\$1,000,000)

Annual aggregate: Three Million Dollars (\$3,000,000)

Property damage

Each occurrence: One Million Dollars (\$1,000,000)

Annual aggregate: Three Million Dollars (\$3,000,000)

- b. Self insurance Applicants who maintain, at all times, a book value in excess of Twenty Million Dollars (\$20,000,000) may submit a statement requesting to self-insure. The purpose of the statement is to assure the city that self-insurance will provide the city with no less protection than would have been afforded by a third party insurer providing the types and amounts of coverage described above. A statement requesting to self-insure should include the following:
 - i. Audited financial statements for the previous year (if requested by the city);
 - ii. A description of the Applicant's self-insurance program; and
 - iii. A listing of all actions against, or claims made against, the applicant for amounts over One Million Dollars (\$1,000,000) or proof of available excess umbrella liability coverage to satisfy all total current claim amounts above Twenty Million Dollars (\$20,000,000).

Submitting a request to self-insure does not guarantee approval.

For Minor Maintenance Permit applications –

1. Authority to apply for permit. If you are a utility provider holding a current Certificate of Registration with the city of Oakwood, no additional authority needs to be attached. If you are a contractor, you must provide written authorization from a current Certificate-holder authorizing you to apply for a permit to perform work for that Certificate-holder.
2. A completed application form. This is self-explanatory.
3. Traffic control statement. Please submit a statement regarding the protective measures and devices that will be used for traffic control in compliance with the Ohio Manual of Uniform Traffic Control Devices.

For any questions concerning this application, please contact:

**Department of Public Works
210 Shafor Blvd.
Oakwood, OH 45419
Tel: (937) 298-0777
Email: service-department@oakwood.oh.us**