



# Application for Right of Way Permit

Permit Number \_\_\_\_\_

## Applicant Information

Applicant Name: \_\_\_\_\_

Applicant Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Contact Person (must be available 24hours per day): \_\_\_\_\_

Contact Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

## Contractor Information

Contractor Name: \_\_\_\_\_

Contractor Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Contact Person (must be available 24hours per day): \_\_\_\_\_

Contact Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

## Project Information

General Description: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Project Address: \_\_\_\_\_ Nearest Cross Street \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Estimated Start Date: \_\_\_\_\_ Estimated Completion date: \_\_\_\_\_

Project Cost: \$ \_\_\_\_\_ Surety Bond: Y or N Cash Bond: Y or N

**Attach your plans to this application, or provide a sketch of the proposed work using the fourth page of this application. Provide sufficient detail. Identify all roadway features (i.e. pavement, storm drainage, utilities, landscaping, north arrow, etc.) and how your work will impact them. Provide dimensions where appropriate.**

## Applicant Signature

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## **Right of Way Construction Permits- General Conditions**

### **What is a Right-of-Way?**

All public roads are located within land, which is referred to as road right-of-way. Within a typical road right-of-way, the following public facilities can be found: the driving surface, roadside shoulders and ditch, public utilities, sidewalks, and traffic signs to name a few. Road right-of-way width is established by deed, statute, or through the platting process and generally located from the back of walk on one side of the road to the back of walk on the other side. Regardless, lands within the road right-of-way are reserved for use of the traveling public.

### **When Do I Need to Obtain a Right-of-Way Permit?**

A Right-of-Way Construction Permit is required for any work to be accomplished in the public right-of-way (including but not limited to storm drainage, driveway installations, sidewalks, curbs and gutters, landscaping, irrigation installation, utility installations, tree removals or any other excavation or pertinent installation in the right-of-way).

### **How Do I Obtain a Right-of-Way Permit?**

An application can be filled out at the Village Offices, 104 West South, Arcanum, OH to obtain a Right-of-Way Permit. The offices are open 8:30 a.m. - 5 p.m., weekdays, excluding holidays. The following must be supplied before the permit will be issued:

#### **INSURANCE**

- Provide a Certificate of Insurance as proof of the required coverage and the Village of Arcanum shall be named as an additional insured on the policy.
- Adequate coverage is: liability arising out of bodily injury to persons or damage to property in the amount of no less than \$500,000, written on a per occurrence basis.

#### **BONDING**

- An adequate SURETY BOND must be on file or provided in the amount of the total cost of the work, with a minimum of \$200.00. Contractors who work at various sites throughout the Village during the year may post a \$5,000 EXCAVATION BOND renewable on a yearly basis. However, projects exceeding this amount must be bonded for separately. A copy of the excavation bond may be obtained from the Village offices.

OR

- A CASH BOND for the estimated cost of the work may be posted and will be held for one year.

## **FEES**

All permits, except as noted, will cost \$20.00. The original fee charged for the Right-of-Way Permit covers the initial permit review and approval process, the initial on-site review and pre-construction conference, and the final permit inspection. The fee may be increased depending on the scope of the project and the number of inspections required. At the Village's discretion, a re-inspection fee will be charged should the grantee: 1) Fail to notify the Village that work has started or been completed; 2) Fail to notify the Village for required inspections; 3) Request final inspection when all conditions of the permit are not completed. Fees may also be charged should the Village be required to visit the project site for an enforcement issue of any nature. The re-inspection fee is \$20 per inspection. Fees will be waived for the following types of projects.

- Replacement of existing sidewalks, curbs, and drive approaches.
- Minor drainage connections such as downspouts and plumbing.
- Irrigation and Invisible Fence type work.

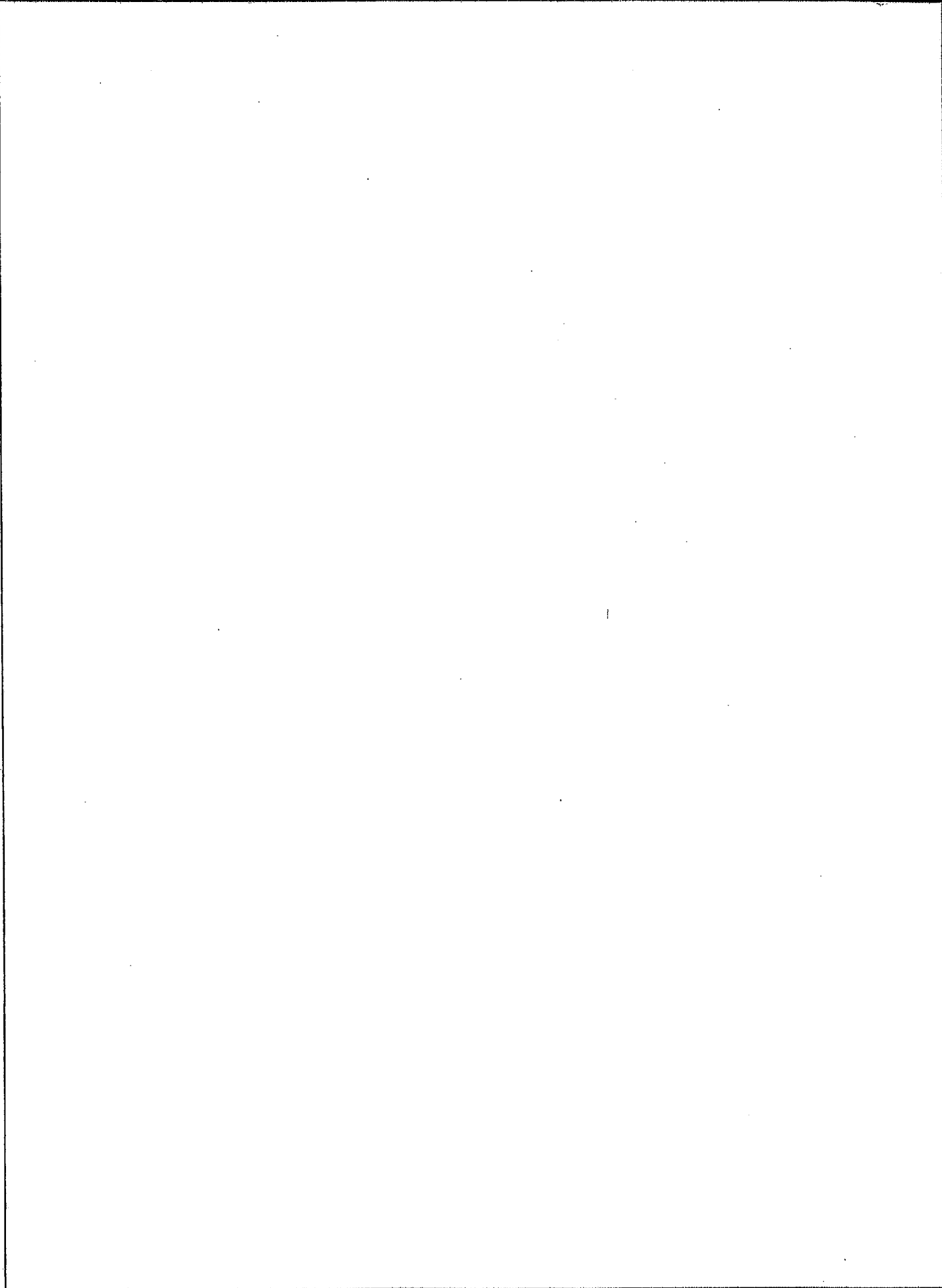
## **FINAL APPROVAL & RELEASE**

The grantee shall complete all work covered by the permit and shall leave the right-of-way, and all appurtenances within the right-of-way, in a condition that is equal to, or better than that which existed prior to the work taking place. If it is determined that work must take place to fulfill all permit obligations and/or to bring the right-of-way back to an appropriate condition, or if damages are identified within the right-of-way that are associated with the permitted work, the grantee shall at once repair or restore the right-of-way, and all appurtenances, at his own expense. If the grantee fails to complete said work, the Village Administrator, or his assigns, may do, or have done, all work necessary to restore the right-of-way to an acceptable condition.

One (1) year after all work has been completed; the Inspector shall make a final inspection. When all work is satisfactory, he should indicate the recommended release of the permit and any cash bond will then be refunded to the applicant.

### **What cannot be done within the road right-of-way?**

Due to our duty to look after the health, safety, and welfare of the public using city roads and sidewalks, the Village of Arcanum does not allow, but is not limited to, the following installations or activities within the road right-of-way: any activity that creates an unsafe condition for those using the roadways, installation of fences, filling of roadside ditches and installation of unauthorized permanent or temporary signs.



Village of Arcanum  
104 West South Street  
Arcanum, OH 45304

**ANNUAL EXCAVATION BOND**

**KNOW ALL MEN BY THESE PRESENTS:**

**THAT WHEREAS,** \_\_\_\_\_,  
hereinafter called the Principal, has made application to the Village of Arcanum,  
hereinafter called the Oblige, for a Street/Right-of-Way Excavation Permit in  
accordance with the provisions Ordinance 2012-11 of the Village of Arcanum,  
and

**WHEREAS,** said Codified Ordinances require that the Principal shall give bond  
to indemnify the Oblige against any loss arising by reason of the failure of said  
principal to comply with the laws under which such Permits are granted, or any  
rules or regulations pertaining thereto,

**NOW THEREFORE,** We, \_\_\_\_\_,  
as Principal, and We, \_\_\_\_\_,  
as surety, are held and firmly bound unto the Village of Arcanum, in the penal  
sum of \_\_\_\_\_ (\$ \_\_\_\_\_), for the payment of  
which we do hereby bind ourselves, our heirs, executors, administrators,  
successors and assigns, jointly and severally, by these presents.

**PROVIDED HOWEVER,** that this bond shall be conditioned upon the compliance  
of the Principal with the rules and regulations of the Oblige as hereinbefore  
described, and shall remain in full force and effect for a period of one year from  
the date hereof or until the work is performed under any Excavation Permit  
issued to the Principal during the course of said year has been completed to the  
satisfaction of the Oblige. In no event shall the liability of the Surety exceed the  
penal sum hereinbefore set forth. This Bond may be continued in force by  
presentation of an annual renewal certificate to the Oblige.

**IN WITNESS WHEREOF,** we have hereunto set our hands and seals this  
\_\_\_\_\_ day of, \_\_\_\_\_, 20\_\_\_\_\_.

**PRINCIPAL**

\_\_\_\_\_

**SURETY**

\_\_\_\_\_