

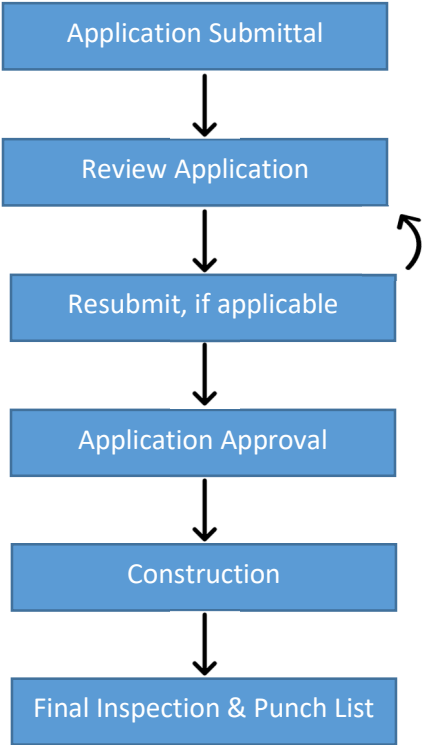
City of Portsmouth

Right-of-Way Permit Application



General Information & Instructions for

- Public Utility Provider Right-of-Way Permit



*City of Portsmouth | Engineering Department
728 2nd Street, Room 25 | Portsmouth, OH 45662
Phone: 740-354-7557 | Fax: 740-354-5383*



General Instructions Utility Provider Permit

City of Portsmouth, Engineering Department

728 2nd Street, Room 25, Portsmouth, OH 45662

Phone: 740-354-7557 Fax: 740-354-5383

Public Utility Provider Permit

This permit is used for public utility providers to construct new utilities or maintain existing utilities within the public right-of-way. Work cannot begin until the permit application has been approved and the permit fees have been paid.

General Instructions

1. A permit application must be submitted to the Engineering Department accompanied with a set of construction drawings and a maintenance of traffic plan. Construction drawings shall be in 11"x17" pdf and submitted as an attachment via email or 11"x17" hard paper copy.
2. All contractors and sub-contractors MUST have current contractor registration with the Engineering Department.
3. Contractor or Project Manager shall notify the following groups at least three (3) working days before any kind of road closure and upon termination of road closure.
 - Police Department
 - Fire Department
 - Public Service Department
 - Local Schools
 - Local Hospitals
4. All traffic control devices and locations shall comply with the Ohio Manual of Uniform Traffic Control Devices (OMUTCD).
5. Contractor or Project Manager shall notify the Ohio Utility Protection Services (OUPS) at least 48 hours before any construction work begins.
 - OUPS 1-800-362-2764 or 8-1-1
6. All pavement restoration shall be same as existing pavement and as good or in better condition than prior to construction.
7. Roadway buildup shall be as follows:
 - Asphalt pavement – Granular backfill, 8" 4000 psi medium set concrete, 2" Type 448 asphalt concrete surface course. Seal all edges of pavement with minimum three inches (3") of asphalt binder meeting the requirements of 702.01 of ODOT CMS.
 - Concrete pavement – Granular backfill, 8" or match bottom of existing concrete pavement, whichever provides greater thickness, 4000 psi medium set concrete. 5/8" x 18" dowel bars shall be installed 30" max O.C. per ODOT SCD BP-2.1.
 - Brick pavers – Granular backfill, 8" 4000 psi medium set concrete, 1" sand cushion or other approved material, reset removed brick pavers.
8. All restored concrete driveways, sidewalks, curbs, and curb ramps shall comply with current Ohio Department of Transportation's standard construction drawings.
9. Contractor or Project Manager shall contact the Engineering Department upon substantial completion of the work to compose a punch list of items to finish the project. Restoration work must be approved by the City Engineer prior to the contractor de-mobilizing work site.



Utility Provider Right-of-Way Permit

City of Portsmouth, Engineering Department
728 2nd Street, Room 25, Portsmouth, OH 45662
Phone: 740-354-7557 Fax: 740-354-5383

UTILITY PROVIDER

and

CONTRACTOR (if applicable)

Name: _____

Name: _____

Address: _____

Address: _____

City, State, Zip: _____

City, State, Zip: _____

Phone: _____

Phone: _____

Email: _____

Email: _____

PRIMARY CONTACT INFORMATION

Utility Provider

Contractor

Project Manager: _____

Foreman: _____

Phone: _____

Phone: _____

Email: _____

Email: _____

PROJECT INFORMATION (if applying for a Blanket Permit, skip this section)

Project Type: (check all that apply)

Overhead Utility Underground Utility Other: _____

Description of Project: _____

Method of Installation: Open Cut (\$1/SY) Road Bore Aerial Cable

Will roadway be closed to traffic? Partial Road Closure (one lane) Full Road Closure No closure

If full closure, list detour route: (use additional sheets if needed) _____

(Please provide a set of construction plans including maintenance of traffic plan with this application)

Estimated Value of Work within Public ROW: _____

Estimated Dates of Construction: Begin Work _____ End Work _____

BLANKET PERMIT INFORMATION

Description of Work: Renew General License Permits for maintenance of existing utility lines in Portsmouth City Limits under the same footprint as currently installed. This permit shall be in the possession of employees/agents of permittee on site at all times who are in charge of the work and shall be shown, upon request, to any employee of the Engineering Department.

Contact Engineering Department 3 days before work begins AND when work is completed for final inspection. Failure to notify could result in work stoppage!

SEE ADDITIONAL GENERAL PROVISIONS



Additional General Provisions

City of Portsmouth, Engineering Department

728 2nd Street, Room 25, Portsmouth, OH 45662

Phone: 740-354-7557 Fax: 740-354-5383

General Provisions Applicable to All Permits (Sections 5515.01 and 5515.02 of O.R.C.)

1. This permit is not a substitute for satisfying the rights or obligations of any other party who may have an interest in the underlying fee interest.
2. The granting of this permit does not convey to the permittee or to the property served any rights, title, or interest in City rights of way or in the design or operation of the city roadway; or in any way abridge the right of the City Engineer in his/her jurisdiction over city roadways. If, in the process of any future work or for the benefit of the traveling public, it becomes necessary, in the opinion of the City Engineer to order the removal, reconstruction, relocation, or repair of any of the fixtures, or work performed under this permit, said removal, reconstruction, relocation, or repair shall be wholly at the expense of the owners thereof or the permittee and be made as directed by the City Engineer and within the time determined by the Engineer. Such changes in the roadway design or operation, necessary for improved safety and operation or for the benefit of the traveling public, shall not require a permit modification since the permit confers no private rights to the permittee over the control of the roadway.
3. The City Engineer or it's designee shall issue and carry out the provisions of all permits. The Engineer has full authority to ensure that all provisions of the permit are met and to reject any materials, design, and workmanship that do not meet applicable Department standards. The Engineer, at his/her discretion, may require a performance bond or certified check as a prerequisite to the issuance of a permit.
4. Failure on the part of the permittee to comply fully with the provisions and conditions of the permit will be cause for suspension, revocation, or annulment of the permit thereby rendering the permit illegal and subject to appropriate Departmental action. By accepting the permit, the permittee agrees to comply with all conditions, terms, and restrictions printed or written on or attached to the permit. If the permittee or its agent performs any work contrary to the conditions of the permit or to the instructions of the Engineer and, after due notice, fails to correct the problem, the Engineering Department may, with or without notice, correct or remove such work and the permittee shall reimburse the Department for the costs and shall hold the Department harmless for all results of such work.
5. The permittee shall indemnify and hold harmless the City of Portsmouth, its officers, representatives and assigns, from any and all loss, liability, damages, litigation costs, and claims for injury or death to any person, property, or business caused by or resulting from any act, omission, event, consequence, or occurrence, negligent or otherwise of the permittee, its employees, agents, or assigns as a result of the issuance of this permit.
6. All work authorized under the permit shall be performed to the Department's satisfaction, and the entire expense shall be borne by the permittee. No work shall be performed until the permittee has contacted the Department's appointed representative named on the permit and received instructions. The Department's representative may inspect all work covered by the permit, or the Department reserves the right, during the time any or all of the work is being performed, to appoint an inspector over the work who shall represent the interest of the State on the work and any compensation arranged for shall be paid wholly by the permit holder. Work not in compliance shall be halted and the Engineer shall be notified of the cause. The permittee shall be notified of the Department's determination and given an opportunity to correct the problem. If the problem is not corrected timely or to the satisfaction of the Department, this permit will be revoked.
7. Failure to complete all work within the time specified on the permit shall void the permit, thereby making the permit illegal and subject to appropriate Departmental action. The permittee may request an extension in writing from the Engineering Department, explaining why the extension is necessary and when the work is expected to be completed.

8. All work infringing on the pavement or shoulders shall comply with applicable standards and requirements regarding traffic control devices. Failure to comply will be cause for revocation or suspension of the permit. Any closure of lanes or shoulders shall be described in terms of location, duration, time of day, etc. Such work shall not begin until all traffic control devices are in place.
9. If any grading, sidewalk, or other work allowed by a permit interferes with the drainage of the roadway in any way, such catch basins and outlets as necessary shall be constructed to take proper care of said drainage and any materials such as pipes and tiles damaged during any installation or repair by the permittee or its employees or agents shall be repaired immediately at the sole cost of the permittee . Permittee shall timely notify the Department of any such damage and repairs thereto. Failure of the permittee to immediately repair the damage after it is discovered shall result in the Department performing the repair and the permittee shall reimburse the Department for the costs and shall hold the Department harmless for all the results of such work which may include removal of the permittee's facilities.
10. Any damage to City or another's property caused by the work shall be repaired by the permittee or permittee's agent or contractor in a timely manner and at the sole cost of permittee. If any emergency repairs to City property are needed that cannot be performed by the permittee or permittee's agent or contractor, the City shall cause the repairs to be performed at the sole cost of permittee.
11. Upon completion of the work, the permittee shall leave the roadway clean of all rubbish, excess materials, temporary structures and equipment, and all parts of the roadway shall be left in a condition acceptable to the Department. Upon satisfactory completion of the work authorized by the permit, the Department's appointed representative shall complete the Permit Inspection form, certifying that the permittee has complied with the terms of the permit.
12. Except as herein authorized, no excavation shall be made or obstacle placed within the limits of the roadway so as to interfere with the travel over the road.
13. All pole lines are to be built in accordance with Rule 4901:3-1-08 of Ohio Administrative Code promulgated and enforced by the Public Utilities Commission of Ohio.
14. All underground utilities shall be installed at a depth and horizontal distance from the road surface and any appurtenances in accordance with state and national safety standards and as pre-approved by the Department. After installation, the exact location of the utility shall be provided to the Department. The Department shall be held harmless for any damage to utilities due to insufficient or inaccurate installation or identification and all repairs shall be at the sole cost of the permittee.
15. The permittee shall comply with the Air Pollution requirements of Rule 3745-17-08 of the Ohio Administrative Code promulgated and enforced by the Ohio Environmental Protection Agency.
16. The permittee certifies that he/she is fully authorized to sign this permit. This permit shall apply to and be binding upon the permittee and any successors in interest. No change in ownership of the underlying property or of the facility owned by permittee shall in any way alter the permittee's obligations under this permit.
17. The permittee(s) personal representatives, and their successors in interest and assigns, as a part of the consideration hereof, do/does hereby covenant and agree that:
 - a. No person on the grounds of race, color, or national origin, shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of the utility/facilities/ services of the permittee.
 - b. In the construction of any improvements on, over, or under the above described property and the furnishing of services thereon, no person on the grounds of race, color, national origin, sex, age, or disability shall be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination.
 - c. The above described property shall be used in a manner that at all times is in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. DOT, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. DOT — Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

- d. In the event that this instrument grants a lease, license, or permit and any of the above non-discrimination covenants is breached, then the City of Portsmouth, shall have the unfettered right to terminate the lease, license or permit and to re-enter and repossess the above-described property and hold the same as if said lease, license or permit had never been made or issued.

18. This permit is granted subject to the following attached conditions:

- The Department reserves the right to require casing or equivalent alternate protection based on conditions involved.
- Underground installations must have permanent location markers placed on both sides of the roadway. Markers shall list contact information for the utility company and they are to be located outside of the clear zone.
- Gas and water lines shall not be placed in ditch line and must be placed at a distance as to not interfere with City ditching operations. Fire hydrants, valves, poles, and all above ground structures are prohibited from being placed in the ditch flow lines.
- Private drainage outlets, such as field tiles, disturbed by this operation shall be restored to working order to the satisfaction of the owner.
- If installation is within 10ft of an existing strain pole, permanent or temporary anchoring may be required. The permittee shall notify the Engineering Department three (3) working days prior to the installation within the area of the strain pole.
- Stop signs shall not be disturbed, and if it becomes necessary to remove a stop sign, a portable stop sign shall be erected before the permanent sign is removed. The permanent sign shall be re-erected immediately after the installation is completed. All ODOT guide signs shall be re-erected the same day as they were removed.
- When removing monitoring wells, all components must be removed and excavated materials are not to be piles on the pavement, along the berm / shoulder or in the ditch line. Upon removal of the well, the hole shall be filled level to the surrounding ground elevation.
- If equipment, vehicles, trench boxes, and material are stored or parked on highway right-of-way, locate them not less than 6 feet behind existing guardrail or not less than 30 feet beyond the traveled way. At night if any such material or equipment is stored between the side ditches, or between lines 6 feet behind any raised curbs, clearly outline them with dependable lighted devices that are approved by the Engineer.
- Any mud or debris that accumulates on the highway as a result of this project (tire tracks, equipment, etc.) is to be removed immediately.
- There is to be NO parking of equipment, service vehicles, erecting of lights or placing of advertising devices within City right of way and they are also not permitted to overhang the state highway.
- All public and private property, including highway fence, that is disturbed by the contractor will be repaired to a condition equal to or better than the original condition, including sidewalks and driveways.
- All areas where vegetation has been disturbed by this installation will be restored within 30 days after completion of work.
- Any environmental issues existing at this location are to be considered and addressed prior to performing any excavating within the state right of way.

- All work requiring individuals or equipment on the pavement or shoulders shall comply fully with the Ohio Manual of Uniform Traffic Control Devices. Failure to comply with this requirement will be just cause for immediate suspension of this permit until such time as the proper traffic control is in place.
- Work is not to be performed during inclement weather conditions (ice, snow, fog, heavy rain storms, etc.). Additionally, work is not to start until one (1) hour after sunrise and is to cease one (1) hour before sunset.
- The contractor must give property owners a minimum of 24 hours' notice before cutting any driveways and before trenching or cable plowing operations begin. Applicant must also contact OUPS prior to any excavation in state right of way.
- It is the responsibility of the permittee to contact the Engineering Department 3 days prior to starting any work and upon completion of work. Failure to comply with this requirement will be just cause for immediate suspension of this permit.
- If your utility is above ground in any way, you must mark your utility with a fluorescent colored marker that corresponds with the universal OUPS color code. The marker must be no shorter than six feet in height and you must maintain the marker. Guide wires must be marked a fluorescent yellow. Failure to do so will result in no reimbursement for damage to your property.

Pole / Aerial

- All work shall be performed at no cost to the State of Ohio or the Federal Highway Administration. Loading or unloading of equipment and material from the roadway pavement will not be permitted.
- ALL AERIAL COMMUNICATION INSTALLATIONS WITHIN THE RIGHT OF WAY MUST HAVE IDENTIFICATION TAGS ATTACHED AT A MINIMUM OF EVERY OTHER POLE. THE IDENTIFICATION TAGS MUST DISPLAY THE COMPANY NAME AND A 24 HOUR CONTACT NUMBER WHICH IS CLEARLY VISIBLE.
- Storage of material on the pavement, berms, median and/or City right-of-way will not be permitted without prior approval from the Engineering Department.
- All work requiring workers or vehicles on the pavement or shoulders shall comply with all of the requirements of the Ohio Manual of Uniform Traffic Control Devices and Item 614 (Maintaining Traffic) of the Ohio Department of Transportation Construction and Material Specifications. Failure to comply with this requirement will be cause for immediate suspension of the permit until the proper traffic controls have been provided.
- Restoration of all areas disturbed shall be completed immediately after installation is completed, comparable to that of the surrounding area and to the satisfaction of the Engineer or representative thereof.
- All walks, steps, driveways, drains, mail boxes, traffic signs, guardrail, poles, fences, etc. that are disturbed must be restored to their original condition or better.
- All traffic shall be maintained in accordance with the Ohio Manual of Uniform Traffic Control Devices for Construction and Maintenance Operations. Local traffic, facilities for pedestrian and vehicular ingress and egress, shall be provided at all times for the property adjacent to the work.
- Two-way traffic shall be maintained at all times, if able, and all equipment used on pavement shall be rubber tired. No personal vehicles will be permitted to park on the roadway pavement, berms, or median.

- It must be stressed, that the pavement is to be kept clean at all times from mud and material carried onto the pavement. Failure to comply with this request will result in suspending all operations on City right-of-way while working under this Permit.
- No poles or anchors shall be installed in the roadway ditch.
- All poles, anchors and/or other utility facilities shall be installed a maximum of 1 foot inside the road right-of-way line. If this cannot be met the policy in the Ohio Department of Transportation Utilities Manual shall be followed.
- (IF CROSSING THE ROADWAY)
- The aerial crossing(s) shall comply with the requirement of the Ohio Department of Transportation Utilities Manual of a minimum vertical clearance of 16.5 feet.
- Poles removed for replacement shall be removed in their entirety and holes backfilled.
- Disturbance of any existing traffic signal or highway lighting equipment during the installation or rearrangements of facilities shall be the responsibility of the Company or the Permittee.
- In the event of conflicts with traffic signal or highway lighting equipment during the installation(s), the Contractor and/or Permittee shall notify the City Service Garage at 740-354-7766. Seven working days notice will be required to inspect and correct the equipment problem. If the problem is too complex, an electrical contractor must be hired to perform the work. All repairs in such cases are to be made to the satisfaction of the City Traffic Supervisor, or the appointed representative, and at the expense of the Company or Permittee.
- Disturbance of any existing traffic signal or highway lighting equipment during the installation or rearrangements of facilities shall be the responsibility of the Company or the Permittee.
- All ditch areas and slopes disturbed must be reshaped to drain properly; and, seeded or sodded as directed by the Engineer or representative thereof.
- Proper roadside drainage shall be maintained at all times.
- In the event of ice, snow or rain, all work shall be suspended as directed by the City Service Director or representative thereof and shall remain suspended until notified to resume work.
- The minimum horizontal clearance between the face of any utility pole and the face of the guardrail shall be 5.5'. The minimum horizontal clearance behind a curb will be 8'.
- All poles will be installed outside the clear zone policy set by City Zoning Code. All poles must be placed on the backside of the roadway ditch.
- If your utility is above ground in any way, you must mark your utility with a fluorescent colored marker that corresponds with the universal OUPS color_code. The marker must be no shorter than six feet in height and you must maintain the marker. Guide wires must be marked a fluorescent yellow.

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- The following are general requirements associated with the work described on the permit. Specific requirements that supersede the general requirements below will be described on the permit. If there is a conflict between the permit description and a general requirement, the permit description will always take precedence.

- All underground and aerial facilities shall be placed on the backside of the roadway curb or edge of pavement as close to the right of way line as possible. It shall be the responsibility of the permittee to insure the construction or placement of any poles will not obstruct the sight distance of any intersection.
- All aerial crossings will have a minimum vertical clearance which is equal to or greater than that required by the National Electric Safety Code.
- All poles shall be installed outside of the clear zone and no poles or anchors shall be installed in the roadway ditch or the areas between the road and the ditch.
- Poles removed for replacement shall be removed in their entirety and holes backfilled.
- Lines must either be bored / drilled / trenched, there will be no open cutting of pavement and they will not be permitted to be installed in culverts. The length of the bore shall be the width of the right-of-way on each side of the roadway, unless otherwise noted on the accepted permit.
- All lines shall be installed a minimum of 4 feet below any highway or ditch bottom. Bore pits / excavation areas shall be located as close to the right of way line as possible and shall not be left open overnight or anytime work is not being performed.
- All excavated material not removed from the area shall be placed between the trench and right-of-way line until needed for backfill or excess to be disposed.
- When the bore opening under the pavement exceeds by 2 inches the outside diameter of the pipe installed, the opening around the pipe shall be filled with grout in a manner suitable to the Engineering Department.
- All backfill shall be performed in accordance with the provisions set forth under Construction Specifications Item 602 and piling of earth over trench for future settlement will not be permitted. Backfilling shall follow completion of all work as closely as possible each day. The City reserves the right to request item 613 Low Strength Mortar Backfill.
- **This requirement is for Gas Companies that are defined as a “public utility” by providing natural gas to the general public** - A gas pipeline or any size or pressure and made of any material (steel, iron, plastic, etc.), generally, will not need to be cased but the company must certify it meets all rules, regulations and pipeline inspection criteria contained in 49CFR192 and / or 49CFR195. If the pipeline installation is a crossing under an interstate or an interstate look-alike and is less than 12 feet in depth, the company must provide certification that the pipe design meets the “Class 4” requirements of 49CFR192, which establishes the thickness of pipe. If the installation depth is 12 feet or more, the company must meet the “Class 3” design requirements. All other “Class Thickness” requirements associated with longitudinal and crossing installations will be based on the location description outlined in the Federal Code. If the City has concerns about the physical location of a crossing installation, the “Class Thickness” can be established which meets the City’s concerns. In addition, if the pipeline installation will be located within any fill material around Mechanically Stabilized Earth (MSE) Walls or within two feet of any structure foundation (i.e. bridges, culverts, etc.), the pipeline must be encased. All other installation requirements, as outlined on the Permit or defined in the ODOT’s Utility Manual, must be met.
- **This requirement is for Oil and Gas Companies or Interstate / Intrastate Companies** - This gas and/or petroleum pipeline installation must meet all rules, regulations and pipeline inspection criteria contained in 49 CFR 192 and/or 49 CFR 195. If the pipeline installation is a crossing under an interstate or interstate look-alike, the pipeline design must meet the “Class 4” requirements of 49 CFR 192. The company’s design plans of the pipeline installation must be certified as meeting 49 CFR 192 and/or 49 CFR 195 regulations with a Registered Engineer’s review stamp and signature. Those design calculations must then be reviewed, stamped and signed by a second Registered Engineer that is either employed by the pipeline owner or is from an independent engineering firm. In addition, if the pipeline installation will be located within any fill material around Mechanically Stabilized Earth (MSE) Walls or within two feet

of any structure foundation (i.e. bridges, culverts, etc.), the pipeline must be encased. All other installation requirements, as outlined in the ODOT's Utility Manual, must be met.

- Tracer tape shall be installed and placed 1 foot above the proposed conduit and shall extend the full length of the work.