

REQUIREMENTS FOR RIGHT-OF-WAY/EXCAVATION PERMIT

IMPORTANT INFORMATION

Work may **not** begin until you **receive** a Permit Notification that your application has been approved. This notification will include your Permit Number and will be sent to you via regular U.S. Mail.

Additionally, all work must have a **Forms and Final inspection**. All inspections must be scheduled at least 48 hours in advance by calling the Public Works Department at 937/837-1702. Please note our office hours indicated below.

The following items must be submitted with your Right-of-Way Permit Application (samples included in packet):

1. **Contractors:**

- a) Right-of-Way Opening Bond (\$1,000.00 **PER OPENING**; minimum amount of \$1,000.00); must equal total value of project.
- b) Certificate of Liability Insurance indicating the City of Trotwood as a certificate holder.

2. **Owners/Private Citizens:** Liability Waiver must be signed and accompanied with a refundable deposit in the amount of \$50.00 payable to "City of Trotwood". (The \$50.00 fee can be included on the same check as the remaining permit fees.) Refunds will be processed **after** your **Final Inspection**.

3. Sketch or drawing of work to be performed.

4. Fees:

- | | |
|---|---|
| 1. Right-of-Way Permit (base fee for <u>any</u> work done in ROW) | \$ 30.00 flat fee |
| 2. ROW Opening/Excavation, per lineal foot – <u>ALL CONSTRUCTION</u> | \$ 2.50 per lineal foot |
| 3. Water and/or Sewer Excavation, per lineal foot, <u>EACH, ALL CONSTRUCTION</u> | \$ 1.00 per lineal foot, <u>each</u> |
| 4. Re-Inspection (must be paid <u>prior</u> to re-inspection) | \$ 10.00 |

Checks may be made payable to the "City of Trotwood". If paying by cash, we must have the exact amount as we do not have petty cash to make change. These fees do not include any water or sewer tap-in (connection) fees. A separate permit application is available for Water/Sewer Tap-Ins.

During construction:

1. Approved barricades shall be in place for the duration of all projects.
2. Debris or materials shall not be stored within the public right-of-way.
3. All cuts shall be neat, straight sawcuts in the pavement of connecting concrete areas.
4. Asphalt replacement to be made with hot mix of the required ODOT specification. Patching done with cold-mix shall be replaced prior to final inspection.
5. All granular fill to be compacted with ODOT Item 304. NO PEA GRAVEL, PIT RUN OR SAND will be approved as base materials. Excavation shall not be covered until granular fill is approved by the Public Works Director or his authorized agent. All trenches or holes under or within the zone of influence of paved surfaces shall be backfilled with flowable fill or unshrinkable fill.
6. All forms to be staked and oiled prior to requesting first inspection.
7. Drive approaches shall be replaced in two (2) pours if curb and gutter are also being replaced. The first pour shall consist of the curb and gutter along with the 6" thick sidewalk section. The second pour will be the drive approach between the sidewalk and curb. Expansion material shall be placed as directed in accordance with City standards.
8. All work shall be performed in an acceptable workmanlike manner. No shoddy, rough, uneven, or flawed work will be approved on second and final inspection. Restoration must be completed before final inspection is scheduled.
9. All cold weather work (32 deg. F or lower) shall be performed with approval of the Engineer.
10. Road or lane closure is not permitted unless specifically authorized. Those authorized must conform to the Ohio Manual of Uniform Traffic Control Devices.

PLEASE KEEP THESE INSTRUCTIONS

**Permits may be obtained during these hours:
Monday-Friday, 8:00 AM to 3:30 PM**



**CITY OF TROTWOOD
RIGHT-OF-WAY OPENING BOND**

KNOW ALL MEN BY THESE PRESENTS that we, _____ as Principal, and _____, as Surety, are held and firmly bound unto the City of Trotwood, as Obligee, in the sum of _____ dollars (\$_____) for the payment of which sum, well and truly to be made, we bind ourselves, our personal representatives, successors and assigns, jointly and severally, firmly by these presents.

The condition of this obligation is such, that whereas Principal is desirous of obtaining a license from the City of Trotwood as it may be necessary from time-to-time and after _____ (date) for _____ (period of time), through its agents and employees, to enter into the surface of any street, alley, or public way in said City of Trotwood, Ohio, for the purpose of installing or repairing its facilities and for other purposes.

NOW THEREFORE, if Principal shall, in the entering into the surface of the streets, alleys, or public way, confirm strictly to all requirements of law; shall cut open and restore such pavement according to established grade; shall remove all debris after the completion of any project or portion thereof; shall repair or replace any restored pavement; repair all damage to the alleys, streets, and public ways, including any facility, equipment of pipe lines contained therein, which within one (1) year becomes defective because of inferior workmanship or materials, then these presents shall be void, otherwise to remain in full force and effect.

IN TESTIMONY WHEREOF, we have hereunto subscribed our names and affixed our seals this _____ day of _____, _____.

PRINCIPAL

SURETY

Name (Printed)

Name (Printed)

By (Signature)

By (Signature, Attorney-in-Fact)

ACORD CERTIFICATE OF LIABILITY INSURANCE		OP ID KT SUPEM1C	DATE (MM/DD/YYYY) 12/20/06
PRODUCER Brower Insurance Agency, LLC 110 N Main Street, Ste 1400 Dayton OH 45402 Phone: 937.228.4135		THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
INSURED Superior Mechanical Services Inc 3155 Plainfield Rd Dayton OH 45420		INSURERS AFFORDING COVERAGE INSURER A: Westfield Group INSURER B: INSURER C: INSURER D: INSURER E:	
		NAIC # 24112	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR/COV/LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Emp. Ben. Liab <input checked="" type="checkbox"/> Emp. Liab. ST GP GENL AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	TRA 1373160	12/31/06	12/31/07	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (EA occurrence) \$ 50,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPROP AGG \$ 2,000,000 Empl Ben 1,000,000
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	TRA 1373160	12/31/06	12/31/07	COMBINED SINGLE LIMIT (EA accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EAACC \$ AGG \$
	EXCESS/UMBRELLA LIABILITY <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input checked="" type="checkbox"/> RETENTION \$None	TRA 1373160	12/31/06	12/31/07	EACH OCCURRENCE \$ 3,000,000 AGGREGATE \$ 3,000,000 \$ \$
A	WORKERS COMPENSATION AND EMPLOYERS LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? if yes, describe under SPECIAL PROVISIONS below OTHER	TRA 1373160 EMPLOYERS LIABILITY	12/31/06	12/31/07	WC STATU-TORY LIMITS OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	Installation Fltr	\$600,000 ANY LOC \$500 DED	12/31/06	12/31/07	
A	Equipment Floater	TRA 1373160	12/31/06	12/31/07	R L & B 40,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
 Mechanical Contractor - Heating, Ventilation and Air Conditioning, Sheet Metal and plumbing. Commercial and residential.
 As pertains to Trotwood Fire Station #72; replacing HVAC project.
 A Waiver Of Subrogation endorsement has been issued in the name of City of Trotwood.

CERTIFICATE HOLDER City of Trotwood 3035 Olive Rd. Trotwood OH 45426	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE Mark S Romanak
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TROTWOOD
SAMPLE
 CONTRA ACORD



**CITY OF TROTWOOD
LIABILITY INSURANCE WAIVER**

This is to certify that I/we, _____, residing at
Homeowner Name(s)

_____, accepts liability for any and all injuries
Address

that may arise which are directly or indirectly related to the work being done in the right-of-way.

FURTHERMORE, I will accept liability in the event that the City of Trotwood is named in
any lawsuit.

Dated this _____ day of _____, _____.

Name (Printed)

Name (Printed)

Signature

Signature

CHAPTER 901
Excavations

- 901.01 Permit required.**
901.02 Application; fee and cash deposit.
901.03 Restoration of pavement.
901.04 Barriers and warning lights.
901.99 Penalty.

CROSS REFERENCES

- Liability for damage - see Ohio R.C. 723.49
Depth of excavation allowable - see Ohio R.C. 723.50
Digging, excavating and piling earth on street - see Ohio R.C. 5589.10

901.01 PERMIT REQUIRED.

No person, other than the Director of Public Service or his authorized employees or agents, shall make any opening in any street, alley, sidewalk or other public way unless a permit to make such opening has been obtained prior to commencement of the work, as herein provided.

(1987 Code 53.15)

901.02 APPLICATION; FEE AND CASH DEPOSIT.

(a) Each permit for making an opening shall be confined to a single project and shall be issued by the Director of Public Service or his authorized agent only.

(1987 Code 53.16)

(b) Application shall be made on the form prescribed by the Director of Public Service, giving the exact location of the excavation, name, address and telephone number of the contractor, date of work, nature of work, anticipated starting time and anticipated completion time and date. The permit fee shall be as established by Resolution of Council, this fee to accompany the application and to be paid prior to commencing any excavation work.

(Ord. 09-09. Passed 3-2-09.)

(c) Each excavation application shall be submitted at least twenty-four hours in advance of the excavation work except in an emergency wherein, the emergency shall first be reported immediately to the Police Department and secondly, a permit shall be obtained not later than forty-eight hours after the work has been completed.

(d) In addition to the permit fee, the contractor shall deposit with the City an insurance bond in the face amount of one thousand dollars (\$1,000). Each excavation shall be inspected by the Director of Public Service or his designated representative. The bond shall be released thirty days subsequent to the expiration of a one-year period of time in the event all excavations by the contractor under the performance bond have been satisfactorily completed. Completion means a prompt and satisfactory refilling of the excavation and restoration of all services disturbed, including restoration of grasses.

(e) If the applicant is a resident of the City and the work is confined to a location abutting property owned by the applicant, the bond requirement of subsection (d) hereof may be waived at the discretion

<http://www.conwaygreene.com/Trotwood/lpext.dll/Trotwood/2d72/2d8a/2d92?f=templates...> 9/11/2012

of the Direction of Public Service, and a cash sum of fifty dollars (\$50.00) shall be deposited in lieu of that bond.

(1987 Code 53.16)

901.03 RESTORATION OF PAVEMENT.

(a) The opening and restoration of a pavement or other surface shall be performed under the direction and to the satisfaction of the Director of Public Service and in accordance with the rules, regulations and specifications of the City.

(b) Upon failure or refusal of the permittee satisfactorily to fill the excavation, restore the surface and remove all excess materials within the time specified in the permit or, where not specified therein, within a reasonable time after commencement of the work, the City may proceed without notice to make the fill and restoration and the deposit referred to in Section 901.02 shall be deemed forfeited. Thereupon, the deposit shall be paid into the Street Repair Fund of the City, except that part demanded and paid to the permittee as the difference between the deposit and the charges of the City for restoration services performed by it. If the amount of the services performed by the City should exceed the amount of the deposit, the Municipal Clerk shall proceed to collect the remainder due from the permittee.

(c) All material removed from an excavation in a street shall be immediately removed and the excavation shall be filled with gravel and the pavement restored to the satisfaction of the Director of Public Service. The pavement shall not be restored until the fill is approved by the Director of Public Service.

(1987 Code 53.17)

901.04 BARRIERS AND WARNING LIGHTS.

(a) Any person engaged in or employing others in excavating or opening any street, sidewalk, alley or other public way, shall have that excavation or opening fully barricaded at all times to prevent injury to persons or animals.

(b) The permittee, in the course of doing the work, shall place and maintain standard signs and barricades whenever necessary to protect the public against accidents and shall place and maintain during the time of darkness, sufficient nonextinguishable lights as will effectively warn and safeguard the public against accidents. Traffic control devices shall conform to the Ohio Manual of Uniform Traffic Control Devices. All such devices shall be furnished by the permittee.

(1) All protection and control devices within the areas of work shall be for the protection of the public. The area of work shall be considered any area in which work is in such a stage that safe travel of the public is affected.

(2) The occurrence of any accident involving public use of the streets or sidewalks while the permittee has work under progress where the person involved was operating a vehicle in a prudent manner shall be considered evidence of insufficient protection as herein prescribed.

(3) The permittee, as far as practical, shall keep the streets and grounds free of equipment, new material, rubbish, evacuated material and debris during the progress of any work required.

(4) Temporary crossings shall be provided and maintained by the permittee for vehicular and pedestrian traffic during the construction of an improvement, including temporary roadways for the use of the public, fire, schools and hospitals, and including temporary roadways for the use of police, fire, schools, hospitals and driveways in use and alley returns. Such crossings and temporary roadways shall be provided at locations to such widths and lengths as directed by the City Engineer.

(1987 Code 53.18)

<http://www.conwaygreene.com/Trotwood/lpext.dll/Trotwood/2d72/2d8a/2d92?f=templates...> 9/11/2012

901.99 PENALTY.

Whoever violates any of the provisions of this chapter shall be fined not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) for each offense. Each opening made in violation of such provisions shall constitute a separate offense. Each day of a continuing violation shall be considered and constitute a separate offense.

(1987 Code 53.99(B))

RIGHT-OF-WAY/EXCAVATION PERMIT APPLICATION



Application Date: ____/____/____

Permit No.: EX

Permit Expires: ____/____/____

**INITIALS INDICATE APPLICANT HAS RECEIVED
/READ PERMIT REQUIREMENTS PAGE**

Permit must include sketch of work being done, a Certificate of Liability Insurance and Opening Bond (contractors) or Liability Waiver (homeowners), and the appropriate fees. All Forms & Final Inspections must be scheduled with Inspector at least 48 hours in advance.

PROJECT INFORMATION

Street Address/Location of Project/Parcel Number: _____

New Construction

Rehabilitation

Reconstruction

Estimated Start Date: _____

Estimated Finish Date: _____

RIGHT OF WAY PERMIT FEE - \$30.00 (flat fee per address)

**APPLIES
TO ALL
CONSTRUCTION
PROJECTS**

Street Opening/Excavation: Total Lineal Feet _____ x \$2.50 = \$ _____

Water Excavation: Total Lineal Feet _____ x \$1.00 = \$ _____

Sewer Excavation: Total Lineal Feet _____ x \$1.00 = \$ _____

Description of Work **(Attach a sketch/drawing):**

APPLICANT/CONTRACTOR INFORMATION

Name (Printed): _____ Signature: _____

Company Name: _____

Phone No.: _____

Company Street Address: _____

City: _____ State: _____ Zip Code: _____

OWNER INFORMATION

Owner's Name (Printed): _____ Owner's Signature: _____

Owner's Mailing Address: _____ Phone No.: _____

City: _____ State: _____ Zip code: _____

FOR CITY OF TROTWOOD/PUBLIC WORKS DEPARTMENT USE ONLY

Total Fee: \$ _____ \$50.00 Refundable Deposit Cash Check, Check No. _____

Certificate of Insurance Expires: _____ Bond Amount: \$ _____ Liability Waiver

Received By (Signature) _____ Date _____

Approved By (Signature) _____ Date _____

Inspections:

Forms Approved Date: _____ Inspector: _____ Comments: _____
 Rejected Date: _____ Inspector: _____

Final Approved Date: _____ Inspector: _____ Comments: _____
 Rejected Date: _____ Inspector: _____

Additional Permits: Water/Sewer Tap-In Building Permit Water/Sewer Abandonment Floodplain

USE THIS SKETCH - OR PROVIDE YOUR OWN

