



City of Umatilla
1 S Central Ave
PO Box 2286
Umatilla, FL 32784
Ph:352-669-3125
Fax: 352-669-8313

Right-of-Way Utilization Permit
Please complete a separate application for each road

Applicant Name: _____ Date: _____

Name Permit Will Be Returned To: _____
 Section / Township / Range

Street Address _____ Road Name _____

City, State, Zip _____ Subdivision and/or Site Plan Name / Number

Telephone Number Applicant's e-mail address _____ Paid / Date / Rec'd By

If this project will result in any new above ground structures, poles, or facilities please state where and what is proposed. Applicant may be requested to provide an engineer's certification that roadway clearance and sight distances have been met.

Description of Work:

Contractor: _____ Telephone Number: _____

Start of Construction Date: _____ Length of time of construction: _____ days

Is proposed work within city limits? _____

A letter of notification was mailed on _____ to the following utilities & municipalities:

Applicant declares that he/she has determined the location of all existing underground and aerial utilities.
 Applicant declares that he/she has read the attached application requirements and permit conditions.

Signature Of Applicant _____ Applicant, Please Print Name

Permit # _____ **To be completed by City Staff**

Approved by: _____ Date Approved: _____

Special Conditions: _____ Expiration Date: _____

For inspection, please call Public Works at (352) 669-1539

Right-of-way Utilization Permit Requirements

The purpose of the Right-of-Way Utilization permit is to control the use of public rights-of-way and public easements and protect the health, safety and welfare of the public. Any work within public rights-of-way requires an approved right-of-way utilization permit.

Application Requirements:

Please submit two (2) copies of each application and backup materials (one original and one copy) to the City of Umatilla.

Completed applications must include a sketch or construction plans drawn to scale, showing the following:

1. The offset from the centerline of the right-of-way or roadway to the proposed utility installation, the road right-of-way width and pavement width, the distance from the edge of pavement to the utility, sidewalks, and the location of all other utilities within the area of work.
2. One or more typical cross sections to adequately reflect the location of the utility. Please indicate the minimum vertical clearance above or below the pavement or natural ground.
3. Please indicate on the sketch information such as the location in relation to the nearest road intersection, bridges, railroad crossings, and other physical features. Please include a location or vicinity map showing the general location of the installation.

Projects of significant length and land size may require a complete right-of-way survey.

If the permit being obtained is for contracted work with the City, a performance bond may be required of the applicant and is at the discretion of the City. The amount of the performance bond shall be 110% of the estimated cost to repair such damage, as determined by the City of Umatilla.

Prior to construction, applicant shall provide written notice to all property owners adjacent to the project limits. This notice shall include, at a minimum, the anticipated construction schedule, maintenance of traffic plan and any impacts, permanent or temporary, to the adjacent properties. The notice must provide contact information including the name and telephone number of the project manager. Within a minimum of fourteen (14) calendar days prior to construction, applicant shall provide to the City a copy of the notification with a list of the parties notified.

A copy of the approved permit and related supporting documents shall be on site at all times during construction.

Conditions of Approval:

1. Before undertaking the work, the Permittee must deliver to the City of Umatilla a certificate of liability insurance evidencing bodily-injury and property-damage coverage equal to or in excess of the following limits: \$100,000 per person; \$300,000 per occurrence; and \$50,000 property damage. The certificate of insurance shall name the City as an additional insured, shall be effective for all work covered by this Permit, and shall be in a form and issued by an insurance company acceptable to the City.
2. One copy of the Construction Plans shall be kept on file with the City, and one copy shall be attached to this Permit. All work shall be performed exactly according to the plans approved by the City of Umatilla. Any unapproved deviation from the approved Construction Plans will be sufficient cause to have work stopped and/or reconstructed at the expense of the Permittee.
3. Section corner monuments and other survey markers subject to displacement shall first be referenced and later reset by a Florida Registered Surveyor.
4. The Permittee and its successors and assigns agree to indemnify, pay the cost of defense for, and save harmless the City from and against all claims, suits, actions, costs, attorney's fees, expenses, damages, judgments, and decrees by reason of any person/persons or property being injured or damaged by Permittee or its employees, agents, contractors, vendors, suppliers, consultants, or subcontractors or in any way attributable to the performance, prosecution, construction, operation or maintenance of the work performed by the Permittee and resulting from the negligent acts or omissions of the Permittee or its employees, agents, contractors, subcontractors, vendors, suppliers, or consultants in connection with the work under this permit.

Permit Conditions:

Whenever necessary for the construction, maintenance, operation or alteration of the right-of-way, as determined by the City, any or all of the appurtenances authorized by this permit shall be immediately removed from the right-of-way or relocated, as required by the City, at the expense of the applicant unless reimbursement is specifically authorized.

All work, materials and equipment shall meet all City codes and standards and shall be subject to inspection by the City. All right-of-way disturbed by this work shall be restored to its original condition or better and in accordance to applicable City Codes. All disturbed areas must be sodded, matching existing grass type. Bahia sod shall be used if no grass is present at time of construction.

The construction and maintenance of this utility shall not interfere with the property and rights of a prior applicant.

Where possible, excavation shall not be allowed within four (4) feet from the edge of the pavement. Situations that cannot meet this requirement shall require prior approval of the City.

The City shall be notified twenty-four (24) hours in advance of starting work. In the interest of public safety all operations shall take place during daylight hours, unless specifically authorized, and discontinued by sunset with proper signage and traffic control devices maintained during off hours.

All traffic detours shall be restricted to the limits of right-of-way with necessary flagmen and marking devices. A traffic detour or lane closure shall require specific approval by the City.

All utility construction and maintenance shall be performed with proper shoring, barricades, and maintenance of traffic signage in accordance with the *Manual of Uniform Traffic Control Devices*, with the regulations of Florida Industrial Safety Board, and the *Florida Department of Transportation Safety Manual*.

The City shall not be responsible for damages to any structure placed within the Right-of-Way. All structures shall be properly maintained, adequately visible or properly delineated to prevent damage due to normal maintenance of the right-of-way.

Open cuts of roads will not be allowed unless specifically authorized by the City of Umatilla. Directional bore or jack and bore operations should maintain a four (4) foot minimum clearance from edge of pavement on road crossing each side. Recommended bore depth is 36" and a minimum bore depth is 30". Any overhead installations should maintain a minimum of 18 feet vertical clearance over all roadways and driveways.

It is expressly stipulated that this permit is a license for permissive use only and that the placing of facilities upon public property pursuant to this permit shall not operate to create or vest any property right in said holder.

Inspection and Approval of Work:

The City shall have the right to inspect and approve all materials and/or phases of work. Final inspection and acceptance of work by the City must be obtained to document the completion of the work. All work shall be subject to the construction requirements and inspections as required in other provisions of the *City of Umatilla Land Development Regulations*. Pursuant to Section 337.403(1), Florida Statutes, any utility placed upon, under, over, or along any public road that is found by the City of Umatilla to be unreasonably interfering in any way with the convenient, safe, or continuous use, or maintenance, improvement, extension, or expansion, of such public road shall, upon thirty (30) days written notice to the utility or its agent by the City of Umatilla be removed or relocated by such utility at its own expense.

It is agreed that in the event the installation, adjustment or relocation of said utilities are scheduled to be done simultaneously with the City of Umatilla construction work, the applicant shall coordinate with the City of Umatilla before proceeding and shall cooperate with the City of Umatilla's contractor to arrange the sequence of work so as not to delay the

work of the City of Umatilla contractor, defend any legal claims of the City of Umatilla's contractor due to delays caused by the applicant's failure to comply with the approved schedule, and shall comply with provisions of the law. The applicant shall not be responsible for delay beyond its control.

All right-of-way utilization activities shall be reported to Sunshine State One-Call at least seventy-two (72) hours prior to commencement.

Guarantee and Responsibility for Compliance:

In the case of noncompliance with the City's requirements, this permit will be void and the facility will be brought into compliance or removed from the right-of-way at no cost to the City.

The City may issue "Stop Work" order(s) upon any permittee committing or creating an unsafe act which may create a public hazard or who is not complying with this permit or the applicable codes. The order shall remain in effect until such time as these matters are corrected.

Permits shall be issued with the understanding that the applicant shall guarantee all work performed under the terms of the permit for a period of one (1) year from the date of final inspection and acceptance of work.

Any failures shall be repaired by the applicant, at the direction of the City, within five (5) days, unless the urgency of the problem requires a quicker reaction time.

The applicant shall be responsible for all repair costs incurred due to damages to existing utilities by failure to use due care, including errors in locating existing utilities during construction.

Removal/Relocation of Improvements: Upon ten (10) days written notice, the applicant shall be required to remove and/or relocate the improvements placed within the right-of-way at the applicant's sole expense.

I have read and understand the above requirements

_____ **Applicant's Signature/Date**