



RIGHT OF WAY/UTILITY PERMIT

Permit/Application

City of John Day

450 E. Main Street, John Day, OR 97845 Phone (541) 575-0028 Email to: cityofjohnday@grant county-or.gov

Permit No. _____

OWNER/APPLICANT INFORMATION		TYPE OF WORK	
Name:		Check only ONE Type:	
Address:		<input type="checkbox"/> TYPE 1 (Minor)	
City/State/Zip:		<input type="checkbox"/> Cable <input type="checkbox"/> Electric <input type="checkbox"/> Gas <input type="checkbox"/> Phone	
Contact Name:		<input type="checkbox"/> Sidewalk Repair/Installation	
Phone:		<input type="checkbox"/> Driveway Repair/Installation	
Email:		<input type="checkbox"/> Other (e.g., signs, excavation, retaining walls)	
CONTRACTOR INFORMATION		<input type="checkbox"/> Encroachment (No fee) <u>Contact City Hall for Permit</u> (e.g. Storage Pods, Portable Toilets, Dumpsters, etc.)	
Business Name:		<input type="checkbox"/> TYPE 2 (Utility)	
Address:		<input type="checkbox"/> Water <input type="checkbox"/> Sewer <input type="checkbox"/> Storm	
City/State/Zip:		<input type="checkbox"/> TYPE 3 (Major)	
Contact Name:		<input type="checkbox"/> Subdivision <input type="checkbox"/> Site Development <input type="checkbox"/> Partition <input type="checkbox"/> Street Improv.	
Phone:		LAND USE NO. _____	
Email:		<input type="checkbox"/> TYPE 4 (Road Closure)	
CCB #:	COS Business License #:	DESCRIPTION OF WORK	
PROJECT INFORMATION		Check ALL that apply:	
Street Address:		<input type="checkbox"/> Cut in Street Pavement <input type="checkbox"/> New sidewalk <input type="checkbox"/> New Driveway	
Estimated Start Date:		<input type="checkbox"/> Trenching <input type="checkbox"/> Bore/Hog Hole	
Estimated Completion Date:		<input type="checkbox"/> Aerial Work Only	
Estimated Cost (within the Right of Way):		<input type="checkbox"/> Other: _____	
APPLICANT/CONTRACTOR AGREEMENT			
THIS RIGHT-OF-WAY PERMIT IS SUBJECT TO THE GENERAL TERMS AND CONDITIONS. By signing this permit the Owner/Applicant/Contractor acknowledges receipt of the General Terms and Conditions, has had an opportunity to review them, agrees they are part of this permit, and agrees to be bound by them.			
<i>I have read and will comply with the "General Terms and Conditions" and any additional conditions set forth in writing by the City. I understand the site will be inspected to verify compliance with the terms and conditions of the ROW Permit and applicable City of John Day Public Works Design and Construction Standards.</i>			
OWNER/APPLICANT		CONTRACTOR (Required)	
Printed Name		Printed Name	
Signature	Date	Signature	Date
DESCRIPTION OF WORK			

TO BE FILLED IN BY CITY STAFF

Required Submittals and Additional Conditions:

- ☐ Certificate of Insurance Received & Approved ☐ N/A
- ☐ Traffic Control Plan Required and Submitted ☐ N/A
- ☐ Bond Surety Received & Approved ☐ N/A
- ☐ School and Other Notifications (**72-hrs** in Advance) ☐ N/A
- ☐ Emergency Services (**72-hrs** in Advance) ☐ N/A
- ☐ Details and Special Conditions Attached (if applicable)
- ☐ _____
- ☐ _____

Public Works Approval

Date

Engineering Approval

Date

Expiration Date: _____ Fee Amount: _____

Receipt No. _____ Date: _____

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(INSERT DESIGN DRAWING AS APPLICABLE)*

RIGHT OF WAY/UTILITY PERMIT
GENERAL TERMS AND CONDITIONS

1. This permit is issued by the City and is subject to the City of John Day Public Works Design and Construction Standards (PWDS), Franchise Agreement and any special terms and conditions contained herein and/or attached hereto, as hereby accepted and approved by Applicant. The Applicant is responsible for adhering to and following all of the applicable requirements.
2. As used in this permit:
 - "Applicant" means person, agent, firm or corporation requesting temporary use/activity within the public right of way.
 - "Owner" is any person, agent, firm or corporation having a legal or equitable interest in the adjacent property which the permitted activity is occurring.
 - "City" means the City of John Day.
 - "Design and Construction Standards" means the City of John Day Public Works Design and Standard Details Manual.
 - "JDMC" means the City of John Day Municipal Code.
 - "City's Representative" means the City Engineer, Public Works Director or City's designated construction/inspection representative.
3. Availability of Permit - A copy of the permit including a Certificate of Insurance, approved construction plans (digital and paper), details and amendments shall be readily available and on site at all times. All work shall conform to special terms and conditions of this permit, the approved permit plans, approved plan amendment (if applicable), to the City's standards and specifications and to these General Conditions.
4. Bonding & Insurance - Unless waived, the applicant shall provide insurance and bonds.
5. Liability & Injury - Unless otherwise addressed in a franchise agreement, the Applicant shall be responsible and liable for all accidents, environmental clean-up, damages or injuries to any person or property resulting from the construction, maintenance, repair, operation or use of a facility for which the Applicant may be legally liable. The Applicant shall defend, indemnify and hold the City and its officers, employees, agents and representatives harmless from and against any and all damages, claims, demands, actions, causes of action, costs and expenses of whatsoever nature which they or any of them may sustain by reasons of the acts, conduct or operation of the Applicant, his agents or employees in connection with the construction, maintenance, repair, operation or use of said facility. If the Applicant has an established franchise agreement with the City of John Day, that agreement shall control.
6. Inspection Frequency & Fees: For Type I and Type II permits, the City will conduct at least two inspections (preconstruction for existing conditions review, during construction for overall operation process or post construction for restoration determination). If the City deems additional inspections or re-inspections are necessary, an additional fee may be imposed for each additional inspection or re-inspection.
7. Permit Expiration - This permit is valid for length of time as determined by its classification type as denoted on the application.

NOTIFICATIONS

8. Provide the following notifications to the City (*to be checked by staff upon issuance*):
 - ☐ Prior to the start of construction within the ROW (72-hours) – Engineering (541) 269-0732.
 - ☐ Prior to AC paving and concrete pours (72-hours) – Engineering (541) 269-0732.
 - ☐ Prior to utility main connections (2-weeks) - Public Works (541) 620-3090.
 - ☐ Following completion of work for final inspection and closeout – Engineering (541) 269-0732.
 - ☐ Prior to road closures (72-hours) – Engineering (541) 269-0732, Sheriff Department, John Day Rural Fire District, Grant School District 3 and John Day Post Office (see contact numbers below).
9. Provide the following advance notifications to private property owners and agencies affected by this operation (*to be checked by staff upon issuance*). Provide the City with confirmation that these notifications have been made and confirmed that is acceptable to the City (e.g., list with agency, name of person, date and time):
 - ☐ Private Property Owners (7 days)
 - ☐ Grant School District 3 (541) 575-1280 (72-hours).
 - ☐ John Day Rural Fire District (541) 575-1855 (72-hours).
 - ☐ Sheriff Department (541) 575-1131 (72-hours).
 - ☐ County Road Department (541) 575-0138 (72-hours).
 - ☐ Clark's Disposal (72-hours).
 - ☐ John Day Post Office (541) 575-1294 (72-hours).
 - ☐ Oregon Department of Transportation (72-hours).
 - ☐ Franchise Utilities (72-hours).
10. Inspections – All trench backfill, subgrade prior to paving and concrete pours and pavement restoration shall be inspected by the City. All concrete forms and finished work shall be inspected by the City Inspector prior to and following pours. A City Representative (Public Works) must be present during utility tie-ins/taps.

WORKSITE

11. Access - The Applicant/Owner shall give the City unconditional and absolute permission to enter the property described herein at any time to review and conduct inspections of any and all work being done and understands that if the City's Representatives are refused access, the City may revoke this permit.
12. Erosion and Site Condition - The work area and approach roads shall be maintained in a clean condition, free from obstruction and hazards. The spreading of soil, gravel or debris upon any street is strictly prohibited and shall be cause for immediate cancellation of the permit if appropriate measures are not immediately taken to prevent this from occurring and the debris cleaned up. The street shall be cleaned of all dirt and debris at the end of each workday, or more frequently as determined by the City. Cleaning of streets shall be by shovel, broom or street cleaning equipment as required to adequately clean the surface. No washing of materials into adjacent waterways or the public storm system is allowed.
13. Restoration - Upon completion of the work, disturbed landscaped areas shall be restored or replaced to equal or better than pre-construction conditions. Existing signs, pavement markings, mailboxes, etc. shall be reinstalled or replaced, with like kind of material. Obtain City approval for all restoration work performed.

TRAFFIC

14. Traffic Control Plan - Applicant must submit a traffic control plan with the application for review and approval by the City Engineer. During and prior to construction, Applicant must comply with the approved job specific traffic control plan and shall at all times ensure the presence of workers, tools, materials, flaggers, barricades and other safety devices are placed properly to protect bicyclists, pedestrians, construction personnel and vehicular traffic.

A copy of the traffic control plan shall be readily available at the work area. Traffic control devices, flag persons, etc., shall be in place prior to initiation of construction and shall be effectively maintained throughout the duration of the project. Traffic control shall be in accordance with the current editions of the "Manual on Uniform Traffic Control Devices [MUTCD] for Streets and Highways", U.S. Dept. of Transportation, FHWA, American Traffic Safety Services Association [ATSSA], and Oregon Temporary Traffic Control Handbook [OTTCH]. All traffic control personnel shall have proper state of Oregon certification and be able to provide it to the City Representative if/when requested.
15. Road Closure - The public roadway shall not be closed to traffic, at any time, without obtaining prior written approval from the City Engineer. Provide advance notifications to all agencies listed herein. Certified flaggers will be required for directing traffic at all times.
16. Property & Property Owner Access - Access to existing properties shall be maintained at all times, including delivery and mail service.
17. Construction Hours - Normal construction hours are from 7:00 a.m. to 7:00 p.m., seven days a week. With prior approval from the City Manager, work can be conducted earlier or later upon request.
18. Utility Notification - Oregon law requires the rules adopted by the Oregon Utility Notification Center to be followed if the work involves excavation. Those rules are set forth in OAR 952-001-0001 through OAR 952-001-0100. You may obtain copies of the rules by calling the Oregon Utility Notification Center at 1-800-332-2344 or visiting their website at <http://www.callbeforeyoudig.org/>. In addition to the City's utilities, there are other private and public utilities, utility owners, companies, districts that occupy the public right-of-way. The Applicant shall immediately notify the specific facility(ies) and/or owner(s) if such facilities are unexpectedly encountered. Locate and pothole all utilities as needed, including sewer laterals and water services prior to construction. Relocation and proper repair of existing facilities will be at the Applicant's expense. All potholing shall be properly backfilled and compacted in accordance with the applicable standard detail(s) unless directed otherwise by the City's Representative. Concrete (3000 psi) or hot mix AC shall be used to fill small diameter potholes in the roadway area.
19. Trench Excavation & Backfill - Trench excavation and backfill shall comply with the applicable Standard Detail Drawing Nos. 328, 329 and/or 402.
20. Control Density Fill - Control density fill (CDF) with a maximum compressive strength between 50 and 150 psi shall be used as backfill material if compaction requirements cannot be met and as required by the Design and Construction Standards or if conditions warrant and specifically called for by the City's Representative.
21. Asphalt Pavement Replacement - Asphalt pavement replacement shall be a minimum of 4-1/2-inches of hot asphalt concrete or match existing AC depth, if greater, and comply with the applicable Standard Detail Drawing Nos. 328, 329 and/or 402.
22. Temporary Patching - A temporary hard-surface patch shall be placed on trenches within roadways at the completion of each workday. Approval of temporary patching methods must be obtained in advance. No trench shall be left at any time in an open or unsafe condition. Steel plates may not be allowed to cover excavations in the traveled way during the months of November through April. Applicant is responsible and liable for any hazards and damages resulting from the contractor's work.
23. Compaction Testing Requirements - Provide density testing results for the following trench repair components. Testing frequency and locations are to be as called for in the special conditions.

- ☐ Asphalt pavement (both lifts)
 - ☐ Subgrade (surface level)
 - ☐ Base rock (surface level)
 - ☐ Trench backfill (3-ft below subgrade and subgrade level - truck tickets are required if CDF backfill is used)
24. Sidewalk Replacement Limits - Sidewalk installation & replacements shall be in accordance with Standard Details 513 and 514. No partial cutting or replacement of panels is allowed.
 25. Driveway Approaches - Driveway approaches shall comply with Standard Details 510 or 511 depending on the type of driveway, residential or commercial. If the approach is installed where there is existing curb, gutter and sidewalk, install dowels (#4 rebar) between new approach and existing adjacent curb and gutter to prevent differential settlement. All existing edges and damaged areas must be properly sawcut and repaired as determined by the City's Representative. A 2-foot minimum wide patch is required adjacent to the curb or gutter to facilitate proper compaction. Approaches must be poured within 48-hours of an approved inspection.
 26. Pipe/Conduit Installation – Bore under all sidewalks, driveways, curbs and pavements, if possible.
 27. Visual Clearance – Maintain the visual clearance area per SMC 12.10. A visual clearance area shall contain no vehicles, RVs, watercraft, parts designed to be affixed to a vehicle of any type, hedge, planting, fence, wall structure, sign or temporary/permanent obstruction that impedes visibility between a height of three (3) feet and ten (10) feet above the centerline grades of the intersecting streets or railroad.
 28. Non-Metallic Laterals – All non-metallic service laterals shall include 12-GA trace wire to the nearest cleanout per PWDS and OPSC.
 29. Tree Removal – A tree removal application is required if trees are to be removed.
 30. Separation – Maintain a minimum of three (3) feet clear from any existing public utilities including water meters and laterals per John Day Public Works Design and Construction Standards.
 31. Vaults – Install public utility vaults at grade relative to proposed sidewalk and/or driveway elevation. Franchise utility vaults shall be set in accordance with the applicable agency's requirements.
 32. Field Conditions – Restore all vegetation and private property disturbed by construction. Contact City Representative for any questions regarding field conditions and/or discrepancies.

IN ADDITION TO THE ABOVE, THE FOLLOWING APPLY FOR DEVELOPMENTS WITH LAND USE APPROVAL

33. Compaction Testing Requirements – Per ODOT Construction Specifications, applicable Geotechnical Report and/or geotechnical engineers' requirements
34. Erosion Control Inspection - Prior to commencement of the work, approved erosion control devices must be inspected and approved by the City in accordance with the project's erosion control permit. The City may at any time order corrective action and suspend work to accomplish effective erosion control. The permittee shall have an authorized inspector perform all inspections as required by the permit.
35. Inspection Reports - Applicant shall submit all inspection reports including mandrel, TV, vacuum, pressure testing, compaction, routine geotechnical or other specialized inspections, in a timely manner to the City's Representative per the Improvement Agreement, as applicable.
36. Survey Monumentation - Existing monuments, property corners, and survey markers shall be protected. If disturbed, replacement shall be per the City's and/or County Surveyors requirements, at the Applicant's expense.
37. As-built Drawings - Applicant shall provide as-built drawings in paper and digital format of all Public Utility work in the ROW as required by PWDS prior to permit closure and release of the performance bond, if applicable.

SPECIAL TERMS AND CONDITIONS

This permit may also be subject to the following special terms and conditions, if Applicable:
