



# CITY OF MUNROE FALLS

## Zoning Department

43 Munroe Falls Avenue, Munroe Falls, Ohio 44262  
330-688-7491 phone  
330-688-3720 fax  
[www.munroefalls.com](http://www.munroefalls.com)

### RIGHT OF WAY PERMIT FORM AND APPLICATION

#### **GENERAL REGULATIONS FOR STREET OPENINGS, PAVEMENT CUTS AND EXCAVATIONS**

- A. PERMIT REQUIRED. No utility service provider, cable operator, or person shall construct, install, or place facilities in the rights of way without prior consent of the City, which consent shall be set forth in a rights of way construction permit issued by the City as provided in Section 919.07. STREET OPENING PERMIT may be required if street pavement will be altered.
- B. COMMENCEMENT OF WORK. The work shall commence within ten (10) days of the date of the issuance of the permit.
- C. PERMITS ARE NOT TRANSFERRABLE
- D. PERMIT SHALL EXPIRE UPON COMPLETION OF THE WORK DESCRIBED IN THIS PERMIT

For complete rules and regulations see section 919 of the Munroe Falls Codified Ordinances

#### **DUTIES OF APPLICANT:**

1. Submit completed permit application
2. Supply complete set of plans or drawings **in triplicate** - one set shall be returned to applicant
3. Pay fees, deposit, bond, etc. as required
4. Furnish a Performance Bond as required (*see page 4*)
5. Furnish a Certificate of Liability Insurance as required (*see page 4*)
6. Provide list of adjoining property owners *when required*
7. **Keep original copy of the approved permit application and approved copy of plans** while work is in progress
8. **UTILITY SERVICE PROVIDORS** *see also page 5 of this application.*

*Incomplete applications or applications without **complete plans or drawings will not be accepted***



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### RIGHT OF WAY PERMIT APPLICATION

**This application shall be submitted along with a COMPLETE set of drawings or plans, in triplicate**  
**WORK SHALL COMMENCE WITHIN TEN (10) DAYS OF THE ISSUANCE OF THE PERMIT**

#### CONTRACTOR PERFORMING WORK

Today's Date \_\_\_\_\_

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

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

Phone: \_\_\_\_\_ email (if desired): \_\_\_\_\_

Are you or your company subject to regulation by the Public Utilities Commission of Ohio or Federal Regulatory Agency? \_\_\_\_\_ Yes \_\_\_\_\_ No

Are you or your company authorized by the Public Utilities Commission of Ohio to provide service in Ohio? \_\_\_\_\_ Yes \_\_\_\_\_ No

If your company is NOT authorized by the PUCO applicant may be required to submit additional information as determined by the Zoning Official

#### PROPERTY OWNER INFORMATION (attach list if more than one)

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ CITY \_\_\_\_\_ ST \_\_\_\_\_ ZIP \_\_\_\_\_

#### LOCATION OF PROPOSED SITE OF EXCAVATION (attach list if more than one)

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

Type of work: \_\_\_\_\_

FOR: \_\_\_\_\_

### CIRCLE ALL APPLICABLE

TYPE OF WORK	SERVICE	MEANS	EQUIPMENT
REPAIR	SANITARY SEWER	DIGGING	BACKHOE
INSTALL	STORM SEWER	DIRECTIONAL BORING	BOBCAT
CONSTRUCT	GAS SERVICE	PUMPING	AUGGER
REMOVE	ELECTRIC SERVICE	DRILLING	MANUAL TOOLS
PLACEMENT	CABLE SERVICE	OTHER: _____	POST HOLE DIGGER
OTHER: _____	WATER SERVICE	_____	_____
_____	_____	_____	_____

## FOR CITY USE ONLY

Upon approval and submittal of ALL requirements, payments, forms and/or plans - this permit application shall serve as your permit.

KEEP ON SITE WHILE WORK IS IN PROGRESS

APPROVED \_\_\_\_\_

DENIED \_\_\_\_\_

**ADDITIONAL REQUIREMENTS:**

BY: \_\_\_\_\_

List of abutting property owners \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

Evidence of materials/labor/equipment \_\_\_\_\_

DATE: \_\_\_\_\_

Other \_\_\_\_\_

**NOTES:**

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*Inspection costs will be deducted from the **DEPOSIT** submitted. The minimum amount of the deposit shall be \$75.00, but the total deposit charged is determined by the Municipality. If the Deposit is less than sufficient to pay all costs, another Deposit fee may be required. A yearly Deposit may be acceptable if more than one permit per calendar year is needed. Upon notification by permittee that all work and restoration is complete, the City may refund the deposit balance, less costs incurred in connection with the permit. **In no event shall the Permit Fee be refunded.***

PERMIT FEE \_\_\_\_\_

CERTIFICATE OF LIABILITY INSURANCE INCLUDED ?

DEPOSIT \_\_\_\_\_

PERFORMANCE BOND AMOUNT \_\_\_\_\_

OTHER \_\_\_\_\_

CASH \_\_\_\_\_ PAPER \_\_\_\_\_

**TOTAL** \_\_\_\_\_

SURETY CO \_\_\_\_\_

DATE OF PAYMENT: \_\_\_\_\_

RECEIPT NUMBER: \_\_\_\_\_

CLERK SIGNATURE: \_\_\_\_\_

CITY DATE STAMP

**APPLICANT SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

Applicant acknowledges receipt of one full set of plans or drawings

## **BOND REQUIREMENTS**

1. The applicant shall furnish the Municipality with a performance bond, signed by a corporate surety authorized to transact business in Ohio, guaranteeing the faithful and proper performance of the work authorized by a permit granted pursuant to this chapter and which shall indemnify and save harmless the Municipality from any and all actions, loss, injury, damage, liability, or expense, including attorney fees and court costs, or whatever nature, by reason of the failure, default, neglect or improper performance of the work required by this chapter.
2. The performance bond must be accepted as to legal form by the Director of Law and shall be in the amount of \$50,000.00. The bond shall be effective upon the date of posting thereof and until the receipt by the permittee of a certificate of final inspection by the City. The performance bond shall contain the following: *"It is hereby understood and agreed that this bond may not be canceled without thirty (30) days advance written notice to the City of Munroe Falls, Ohio."*
3. Default in performance. Whenever the City shall find that a default has occurred in the performance of a any term or condition of the permit, written notice thereof shall be given to the principal and to the surety on the bond. Such notice shall state the work to be done, the estimated cost thereof, and the period of time deemed by the City to be reasonably necessary for the completion of such work.
4. Completion of Work. After receipt of such notice the surety must, within the time therein specified, either cause the required work to be performed or, failing therein, indemnify the City for the cost of doing the work as set forth in the notice.

## **LIABILITY INSURANCE**

Each applicant shall provide the City with an acceptable certificate of insurance indicating that he is insured against claims for damages for personal injury as well as against claims for property damage which may arise from or out of the performance of the work, whether such performance be by himself, his subcontractor, or anyone directly or indirectly employed by him. Such insurance shall cover collapse, explosive hazards, or underground work by equipment on the street, and shall include protection against liability arising from completed operation. The amount of the insurance shall be in accordance with the following: bodily injury - not less than \$1,000,000.00 for each person (bodily injury or death) and \$3,000,000.00 bodily injury or death resulting from a single accident not less than \$500,000.00 for property damage to any single property and \$3,000,000.00 for excess liability or umbrella coverage.

## **Notices to Property Owners**

If the work permitted will affect the use of properties abutting or adjoining the project and a list names and addresses of the affected property owners is required.

Any owners of sub-surface installations in the vicinity shall be notified.

Police and Fire Departments will be notified in writing by the Clerk of the nature of the work and beginning and completion dates.

**ADDITIONAL REQUIREMENTS FOR UTILITY SERVICE PROVIDERS. Full details of all requirements are described in Chapter 919 of the Munroe Falls Code of Ordinances.**

1. No utility service provider, cable operator, or person shall obstruct or place obstructing material in the rights of way without prior permission of the City, which consent shall be set forth in the permit issued other than temporary means in order to complete work described. In no event shall rights of way be obstructed for more than 12 hours in a 24 hour period without prior consent of the City and in no event shall traffic be obstructed on more than one-half of any public street at any one time.

2. Complete plans for utility service providers shall include Statement containing:

(a) The nature of the applicants business, whether its operation and facilities are subject to regulation by the PUCO or Federal regulatory agency, and whether it is certified or authorized by the PUCO to provide service in Ohio.

(b) Type of facility to be installed or constructed

(c) Method of construction, installation or placement to be used

(d) Estimated time to complete construction

(e) Whether street pavement will be cut, broken, opened or bored under

(f) Whether traffic will be obstructed and dates affective

(g) Proposed means of restoration

(h) Traffic flow maintenance if necessary

(i) Description of purpose and use of facilities (power with voltage, gas with max. allowable operating pressure, etc.) and any other pertinent details.

(j) Scale drawings showing completely the nature, location, construction materials and design of the facilities including:

(1) North arrow, all street names, the offset in feet and inches, from the centerline of the roadway, pavement width, distance from edge of pavement to the facilities, the distance from nearest major intersections, railroad crossing and/or other physical features, one or more typical cross sections, the minimum vertical clearance above or below the pavement or the existing finished grade. The Zoning Official shall determine which drawings, if any, shall be certified by an engineer.

(k) Upon request of the City, grantee shall provide and maintain with the City a true and accurate map or set of maps showing the location of all grantees facilities in the rights of way and other public places.

(l) Acknowledgement, upon executing the rights of way construction permit, that the Grantee has carefully read the terms and conditions set forth in Chapter 919 of the Munroe Falls Codified Ordinances and the form of the Permit, and is willing to and does accept all of the risks of the meaning of the terms and conditions contained therein, and in the event of any ambiguity or in the event of any other dispute over the meaning thereof, the same shall be construed strictly against grantee and in favor of the City.

**FAILURE TO COMPLY WITH ANY PROVISION OF CHAPTER 919 IS PUNISHABLE BY A FINE OF \$500 PER DAY IN ADDITION TO ANY COSTS INCURRED BY THE CITY.**