



CITY OF GLENDALE RIGHT-OF-WAY PERMIT GENERAL CONDITIONS

5909 N. Milwaukee River Parkway • Glendale, Wisconsin 53209 • (414) 228-1710

Scope:

The Public has entrusted the Director of Public Works to be in responsible charge of the Right of Ways and other such lands. A permit issued by the Director of Public Works is therefore typically required for all activities within, below and above Right of Ways, City Streets, Alleys, Parkways, Easements and other such Public lands which impact the safety, public interest, normal condition and/or use of such lands. Such activities include, but are not limited to, repairing or constructing, or causing to be repaired or constructed by private contract any road, sidewalk, driveway approach, curb and gutter, or other pavement; all excavations; the storage of equipment, materials and debris; all work including any modifications, improvements, repairs, removals, abandonment, etc.; any occupation, encroachment, obstruction, special use or temporary closure of said lands; excepting those cases where immediate public safety is an issue, where by notification of the Director of Public Works shall take place as soon as reasonably possible. The Director of Public Works may suspend or revoke any permit at any time.

Right-of-Way Overview:

Right-of-Way (ROW) is land which is owned by the City to provide a location for the construction of streets, sidewalks, and utilities. The white dots on the aerial photo to the right represent the right-of-way for this particular property. All work within the City's right-of-way requires a permit.



Submittals:

Permit Application

The written approval and denial of a permit is based on the professional judgment of the Director of Public Works. Incomplete or vague applications may take longer to process or result in requests for more detailed information from the applicant. Once you receive an approved application you may proceed as outlined in the permit.

Deposit

A deposit providing an assurance to the city of the completion of the project to required standards is typically required. The Director of Public Works may cause to use such monies to meet the permit conditions, including but not limited to, restoration of disturbed or damaged areas or items, payment for expenses incurred by the city associated with the permit, including the review and inspection of the permit as well as any other related city costs directly associated with the permit. Such funds or remainder thereof, will typically be returned upon satisfactory completion of all work authorized in the permit, and fulfillment of all conditions of the permit.

Certificate of Insurance

A permit shall be issued only upon condition that the applicant submit to the Director of Public Works satisfactory written evidence that applicant has in force and will maintain during the time the permit is in effect public liability insurance of not less than \$500,000 per one (1) person, \$500,000 for (1) accident and property damage coverage of not less than \$500,000. The policy shall name the City of Glendale as the third party insured.

Plans

The Permit application shall be accompanied by plans, maps, plats, photos, sketches, diagrams or similar exhibits which show any and all information necessary to locate the proposed permit area and define the permit activities. Professional certification of submittals may be required as determined by the Director of Public Works. The Permit application shall be accompanied by the written order or consent to any work thereunder which may be required by law or any other public agency or body.

Material Samples / Specifications

Material samples may be requested by the Director of Public Works.

As-Built Information

The Permit holder is required to submit as-built Information, to standards acceptable to the Director of Public Works, of any improvements or changes associated with the permitted activities. The Director of Public Works may wave such requirements or impose fines associated with the failure to provide such information. Utility users of subsurface street space shall maintain accurate drawings, plans, and profiles showing the location and character of all underground structures including abandoned installations. Such records shall be available to the Director of Public Works.



CITY OF GLENDALE RIGHT-OF-WAY PERMIT GENERAL CONDITIONS

5909 N. Milwaukee River Parkway • Glendale, Wisconsin 53209 • (414) 228-1710

Hold Harmless Agreement

Before a permit for excavating or opening any street or public way as part of a boring project may be issued, the permittee, his successors or assignees, must sign a Hold Harmless Agreement that he will indemnify and hold harmless the City of Glendale, its officials, officers, agents or employees, against any claim or any cause of action for personal injury or property damage sustained by reason of the exercise of such permit. The Hold Harmless Agreement must be obtained from DPW staff prior to application submittal.

Safety:

Access / Emergencies

The permit holder must conduct their activities allowing uninterrupted access for emergency vehicles such as police, fire and ambulances. Access accommodations for handicap individuals or other individuals such as those with special medical needs must also be maintained. Provisions shall be made for the safety and protection of pedestrian and bicycle traffic during the construction period. Every effort shall be made on the part of the permit holder to provide reasonable access to all properties adjacent to his project. When a snow or ice condition exists during the progress of this work, the Contractor shall keep the area affected by the work safe for travel.

Utilities

The Permit Holder is responsible for contacting Diggers Hotline prior to the start of construction. The Permit Holder shall be responsible for the protection of all public and private utilities including those buried and overhead. Timely notice and coordination with affected agencies are the Permit Holder's responsibilities. Timely notification of utility damage disturbance or interruption caused by the Permit Holder to the subject utility owner and the Director of Public Works is required.

Traffic Control

A formal traffic control plan may be required which includes the use of lighted barricades, safety fencing, detour routes, signs flaggers and other methods. The Contractor shall be responsible to furnish and erect all required signs and traffic safety devices per the current Manual on Uniform Traffic Control Devices (MUTCD). Unless otherwise approved, a minimum of one (1) lane of traffic in each direction shall be provided. The Contractor shall be responsible to furnish and erect all required signs and traffic safety devices. When, in the opinion of the Director of Public Works, the work constitutes a hazard to traffic in any area the Contractor may be required to suspend operations during certain hours and to remove any equipment from the roadway.

Site Conditions

The permit holder is solely responsible for ensuring the safety of their activities and shall comply with all applicable federal, state, and local laws and regulations and use safety equipment such as steel plates, steel sheeting, shoring or bracing when appropriate. If inadequate provision is made for the safety, protection and convenience of the public by the permit holder, the Director of Public Works may take such action as deemed necessary for the protection of the public and shall charge the permit holder for the associated costs thereof. The highway surface shall be kept clean of debris at all times and shall be thoroughly cleaned at the completion of the work.

Permit Activities:

Notice to Director of Public Works:

The Permit Holder shall not commence with approved permit activities until first notifying the Director of Public Works at least one (1) business day before such work is to commence. The Director of Public Works shall also be notified at least four (4) hours prior to backfilling and/or restoring the surface.

Normal Permit Periods:

Normal permit activity is permitted Monday through Saturday between 7 a.m. to 7 p.m. Permission to work on holidays, Sundays or before 7 a.m. or after 7 p.m. is required in writing from the Director of Public Works. No openings in the streets, alleys, sidewalks or public ways shall be permitted between November 15th and May 1st except as determined to be necessary by the Director of Public Works.

Notice to Right-of-Way Users:

The Permit Holder shall notify other users of the right of way, such as adjacent businesses, residents, bus companies, fire department, police department, schools, churches etc, when permitted activities will close or unduly interrupt such users from



CITY OF GLENDALE RIGHT-OF-WAY PERMIT GENERAL CONDITIONS

5909 N. Milwaukee River Parkway • Glendale, Wisconsin 53209 • (414) 228-1710

right of way use. The Permit Holder, sub-contractors, and their employees and suppliers will be expected to maintain amicable relations with the general public at all times. It shall be the duty of the Permit Holder to notify all public and private individuals, firms and corporations affected by the work to be done at least one (1) business day before such work is to commence.

Standards

All activities shall be completed to the specifications of the Director of Public Works. In general crushed gravel shall be placed the full depth of the existing stone base or six (6) inches, whichever is greater; Bituminous pavement shall be placed the full depth of the existing pavement or three (3) inches, whichever is greater; Concrete pavement shall be placed to the full depth of the existing pavement or seven (7) inches, whichever is greater; Backfill Material shall be vibratory compacted in three-foot lifts under any paved surface or as directed.

Damages

The Contractor will be responsible for any damage caused by its operation. Such damages shall be reported to the subject owners as well as the Director of Public Works. Permitted activities shall not interfere or modify the established drainage other than as specified by the permit. No trees shall be cut or removed under this permit. Hand digging shall be required around roots of trees.

Restoration

The permit holder shall replace, repair, or restore damaged and disturbed areas to the same condition existing prior there to the damage, unless otherwise provided in the permit. The permit holder shall remove all obstructions, impediments, material or rubbish caused to be or placed upon the permit area and shall do any other things necessary to restore the permit area to a safe and usable condition.

Inspections

Inspections are required at various stages of permitted activities, however, the Director of Public Works or designated inspector may inspect such activities at any time. Upon completion of authorized permit activities, the permit holder shall notify the Director of Public Works (typically in writing) within 5 days of such completion and request an inspection. Requests to schedule an inspection by the Permit Holder must be made at least three days prior to the desired inspection date.

Inspection Fees

Costs for extra inspections, overtime inspection, etc., incurred by the city, as a direct result of permitted activities, shall be reimbursed through use of monies deposited or through direct billing.

Guarantee:

The permittee shall repair any injury or damage in any portion of the permit area, resulting from the work done under the permit which is a result of their activities, including damage to the permit area which would not have occurred had such work not been done, within the period of time (typically 2 years) required by the Director of Public Works. In the event that the permittee fails to act timely or should repair or replacement be required before the permittee can be notified or can respond to notification, the city may make or cause to be made the necessary repairs or replacements or perform the necessary work and the permittee shall be charged with all the expenses incurred in the performance of said work. Any public utility, public agency, or franchisee which is authorized by law or contract to establish or maintain any works or facilities in, under, or over any subject lands shall monitor, maintain, and/or repair the subject lands or any portion of it where the public utility, public agency, or franchisee has made any excavation for the life of any works or facilities contained in or under subject lands.

Violations:

Any person performing work under the terms of a permit, who violates the terms of said permit, shall be subject to damages incurred in restoring the site to a condition compatible with the original conditions. In addition, the Director of Public Works or designee shall have the authority to terminate all work until such party is in full compliance with the term of the permit and all charges are paid in full. If you are discovered occupying the public right-of-way doing work or have completed work without a permit, you may be subject to daily fines.