



# THE CITY OF HILLSBORO, OHIO

Justin Harsha, Mayor · Brianne Abbott, Safety & Service Director

130 NORTH HIGH STREET · HILLSBORO, OHIO 45133-1152

## RIGHT-OF-WAY UTILIZATION PERMIT

Please complete a separate application for each street

Date: \_\_\_\_\_

Applicant's Name: \_\_\_\_\_

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Block / Township / Area

Applicant's Street Address \_\_\_\_\_

Project Street Name \_\_\_\_\_

Applicant's City, State, Zip \_\_\_\_\_

Subdivision and/or Site Plan Name (if applicable) \_\_\_\_\_

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: \_\_\_\_\_

Construction duration: \_\_\_\_\_ days

Is proposed work within city limits? \_\_\_\_\_

If so, what city? \_\_\_\_\_

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's Printed Name \_\_\_\_\_

| Road #  | To be completed by City Staff |                        |
|---|-------------------------------|------------------------|
| Permit # _____  | Permit Fee: \$50.00           | Fee Code: _____        |
| Checked by: _____   |                               | Date Checked: _____    |
| Approved by: _____  |                               | Date Approved: _____   |
| Special Conditions: _____   |                               | Expiration Date: _____ |
| <b>For inspection, call the City of Hillsboro at (937) 393-5219.</b>              |                               |                        |
| <b>Submit Permit to: City of Hillsboro, 130 N. High St., Hillsboro, OH 45133.</b> |                               |                        |

Mayor's Office P (937) 393-5219 · Auditor's Office P (937)393-5791

[www.hillsboroohio.net](http://www.hillsboroohio.net)

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## **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:**

For each street involved, please submit one (1) original application and supporting documentation to the City of Hillsboro Department of Public Works.

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, including traffic signal 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. The location of the area of work 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.

All permit applications must demonstrate that the proposed improvements conform to the right-of-way utilization requirements included in the City of Hillsboro Regulations.

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

A performance bond may be required of the applicant in the event the work covered by the right-of-way utilization permit has the potential to significantly damage the right-of-way. The amount of the performance bond shall be 110% of the estimated cost to repair such damage, as determined by the City of Hillsboro.

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 include 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 of Hillsboro 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.

### **Permit Conditions:**

Whenever necessary for the construction, maintenance, operation or alteration of the right-of-way, as determined by the City of Hillsboro, 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 of Hillsboro, at the expense of the applicant unless reimbursement is specifically authorized.

If above ground utilities are being replaced, the old utilities and utility appurtenances must be removed from the City of Hillsboro right-of-way within thirty (30) days after new utilities are installed.

All work, materials, and equipment shall meet all City of Hillsboro ordinances and specifications and shall be subject to inspection by the City of Hillsboro. All right-of-way disturbed by this work shall be restored to its original condition or better and in accordance to applicable City of Hillsboro ordinances. All disturbed areas must be seeded and strawed, matching existing grass type. 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 five (5) feet from the edge of the pavement. Situations that cannot meet this requirement shall require prior approval of the City of Hillsboro.

The City of Hillsboro 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 of Hillsboro.

Written approval from the City of Hillsboro shall be required before any alterations to existing traffic signal equipment including, but not limited to: vehicle detection loops and signal timing.

If traffic signal vehicle detection loops are rendered inoperable, temporary detection shall be installed within twenty-four (24) hours.

All traffic signal utilities disturbed by this work shall be restored to its original condition or better. Traffic signal utilities include but not limited to: vehicle detection loops, conduit, cabling, pull boxes, pedestrian signal equipment, span assemblies, signal heads, cabinet assemblies, cameras, and fiber optic infrastructure.

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 OSHA # \_\_\_\_\_, and the Ohio Department of Transportation Safety Manual.

The City of Hillsboro shall not be responsible for damages to any structure placed with 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 Hillsboro. Directional bore or jack and bore operations should maintain a five (5) foot minimum clearance from edge of pavement on road crossing each side. Recommend bore depth is thirty-six inches (36") and a minimum of eighteen (18) feet vertical clearance over all roadways and driveways.

This permit is effective for one year from its approval date, unless otherwise rescinded by the City of Hillsboro.

**Inspection and Approval of Work:**

The City of Hillsboro shall have the right inspect and approve all materials and/or phases of work. Final inspection and acceptance of work by the City of Hillsboro 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 Hillsboro ordinances. Pursuant to Section \_\_\_\_, Ohio Statutes, any utility placed under, over, or along any public road or publicly owned rail corridor that is found by City of Hillsboro ordinances to be reasonably interfering in

anyway with the convenient, safe, or continuous use, or maintenance, improvement, extension, or expansion, of such public road or publicly owned rail corridor shall, upon thirty (30) days written notice to the utility or its agent by the City of Hillsboro 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 Hillsboro construction work, the application shall coordinate with the City of Hillsboro before proceeding and shall cooperate with the City of Hillsboro's contractor to arrange the sequence of work so as not to delay the work of the City of Hillsboro contractor, defend any legal claims of the City of Hillsboro's contractor due to delays caused by the applicant's failure to comply with the approved schedule, and shall comply with all provisions of the law and the City of Hillsboro; current utility specification Manual. The applicant shall not be responsible for delay beyond its control.

All right-of-way utilization activities shall be reported to Ohio Utilities Protection Service One- Call at least forty-eight (48) hours prior to commencement.

**Guarantee and Responsibility for Compliance:**

In the case of noncompliance with the City of Hillsboro'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 of Hillsboro.

The City of Hillsboro 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 of Hillsboro, 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.

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

It is understood and agreed that the rights and privileges herein set out are granted only to the extent of the City of Hillsboro's right, title and interest in the land to be entered upon and used by the holder, and the holder will, at all times, assume all risk of and indemnify, defend and save harmless the City of Hillsboro from and against any and all loss, damage, cost or expense arising in any manner on account of the exercise or attempted exercises by said holder of the aforesaid rights and privileges.

**I have read and understand the above requirements.**

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Applicant's Signature / Date