



R.O.W. USE PERMIT APPLICATION

Department of Public Works
174 E. Wisconsin Ave Oconomowoc, WI 53066
www.oconomowoc-wi.gov 262.569.2189

Permit to place materials within City Right-of-Way

(Dumpster, Building Materials, Equipment, Landscape Material and Scaffold Obstructions)

Date _____ Project Location _____ Permit # _____
(Issued By City)

Applicant Name _____ Phone # (____) _____

Address _____ City _____ Zip _____

Applicant E-mail Address _____

Contractor _____ 24 hr. Phone # (____) _____

Address _____ City _____ Zip _____

Project Description _____

When project is complete, please call 262.569.2189

Permit Fee: \$50.00 and Financial Security

Financial Security: Minimum \$1,000.00 to \$3,000.00 cash or Penal Bond (example attached).

The City will determine the financial security amount which is dependent on the project scope and location. This is an estimated amount to cover any anticipated damage and restoration. The financial security is refundable after inspection for damages and restoration has been accepted.

Conditions:

- Municipal Code Sec.8.06(1)(b) of the City of Oconomowoc
- Placement of adequate flashing barricades around the obstruction.
- Before a permit can be issued the applicant must provide a complete description of the project plan of operation and a site plan showing the following:
 - Location and size of obstruction within the R.O.W. (including sidewalks).
 - Location of abutting driveways (set back distance from the obstruction to driveway opening).
 - Location of intersections - only if a corner lot is involved (set back distance from the obstruction to the face of curb of intersecting street).
 - Width of street from face of curb to face of curb directly abutting obstruction.
 - Width of the sidewalk.
 - Indicate number of parking stalls obstructed.

Estimated project dates: From _____ To _____

The applicant understands and agrees that the permitted work shall comply with this permit and the City of Oconomowoc's Requirements for working within the City's R.O.W. (attached).

By _____ Title _____
(Signature of Authorized Applicant)

Print and sign permit, then mail or drop off along with permit fee and cash or bond to be processed.
Permit will not be processed until all requirements are received and approved.

Office Use

Permit Approval by Permitting Authority. Application is hereby approved and permit issued by the City of Oconomowoc subject to full compliance by the Applicant with all conditions set forth by the Department of Public Works.

Date Received: _____ Return Cash/Bond to: _____

Permit Fee Paid: _____

Cash/Bond Received: _____

City Representative: _____
Authorized City Representative

City of Oconomowoc

Requirements for Working within City Right-of-Way (ROW)

A. Permit Requirements and Conditions of Issuance

Pursuant to Wisconsin Statutes, a permit is granted to allow performance of the specific permitted work approved. The following requirements and any included special provisions shall govern:

1. The Applicant agrees to indemnify and hold harmless the Permitting Authority, its employees and its agents, from any cost, claim, suit, liability and/or award which might come, be brought, or be assessed, because of the issuance or exercise of this permit, or because of any adverse effect upon any person or property which is attributed to the partially or entirely completed works of the Applicant. Completion of the permitted work, or any part thereof, shall bind said Applicant to abide by this permit and all its conditions and provisions.
2. Financial Security is required. The amount of the security is set forth by the Director of Public Works. The acceptable type and form is determined by the project size and may include cash/check or bond, the type thereof to be approved by the Director of Public Works. A "Security Agreement" is required if cash/check is deposited and the amount thereof is hereby authorized to be used by the City for failures to erect barricades, repair of damages to public and private property including, but not limited to sidewalks, curb and gutter, streets, lawns/landscaping, fire hydrants, benches, utility poles and any other property which may be damaged by the construction. If the deposit of cash/check is exceeded by the cost to complete repairs, the cash deposit shall be replenished and the project must stop until all funds are replaced. The permittee is still responsible for all costs incurred even if the financial security is not sufficient enough to cover the total cost of repairs.

If contractor complies with all requirements to perform the permitted work within street ROW, then remaining security funds shall be returned.

3. The Contractor shall furnish satisfactory proof of insurance required to protect the public and any City property within the ROW. Insurance certification must be received prior to any work commencing within the ROW.
4. All permitted facility work shall be altered at the expense of the Applicant to provide for alteration, improvement, or maintenance of the ROW as may hereafter be ordered. The entire cost of constructing and maintaining the permitted facilities shall be the obligation of the Applicant.
5. A copy of this approval, along with any plans and special provisions, shall be available on the job site.
6. Upon completion of the work the Applicant shall file a written notice with the City.
7. The Department of Public Works may require the applicant to obtain other permits or plan approvals prior to issuing a permit.

B. Specifications and Rules

Contractor shall comply with all specifications, applicable rules, regulations, codes and ordinances of local, state and federal authorities and all work will be performed in accordance with EPA, OSHA, Department of Commerce and DNR regulations.

1. Utility Location/Digger's Hotline and Hits
 - All excavation and underground work require notification to Digger's Hotline, 800.242.8511, prior to proceeding. Each contractor is required to keep their own active ticket.
 - All work shall stop immediately upon a utility hit and 911 must be contacted without delay.

2. Work Zone Safety
 - If necessary, the contractor shall submit a complete Action Plan for the project. City will provide an example if required.
 - Contractor must provide proof to the City that first line supervisors working within City ROW have been trained in work zone safety.
 - Fire Hydrants, water and gas valves must remain accessible.
 - Contractor shall continuously provide public safety until the work has been completed.
 - Contractor shall take all measures necessary to guarantee the safety of pedestrians and motorists, both on and off the project site.
 - Contractor shall, if necessary to guarantee safety, erect a safety fence around the perimeter of the project site before work begins.
 - Contractor is not allowed to have any material fall or be placed outside the limits of each project site.
 - Contractor shall conduct operations to avoid any conflicts with pedestrians and vehicular traffic on adjacent streets. Use barricades and/or fencing as necessary.
 - Convenient and safe access to driveways, houses and buildings must be maintained. Contractor must notify residents 24 hours in advance if driveway closure is necessary.
 - Notify Police Dispatch, 262.567.4401, if closing streets.
3. Protection of the City's ROW and adjacent properties
 - Contractor shall protect and take all measures necessary to safeguard existing work, signs, paved surfaces, buildings, structures, landscaping, street lights, utilities and all other facilities that may be encountered or interfered with during the work, both on and off the project site.
 - Contractor shall use a variety of methods as protection, including but not limited to, plywood or suitable planks for heavy equipment accessing over curbs.
 - In the event of any damage caused by operations to complete the work, the responsible party shall make repairs, replace and/or provide new items as determined by the City.
 - Damage to the curb and gutter, sidewalk and roadway no matter how minor may require replacement of entire sections.
 - To avoid damage claims you should photograph project area prior to starting work.
4. Traffic Control
 - Contractor shall be responsible for providing a traffic control plan for the City's review and approval.
 - Work cannot start until the plan is approved and traffic control is in place.
 - When use of a traffic lane, one-way traffic or a detour is required for the project, the Applicant shall provide the appropriate traffic control methods required according to the "Manual on Uniform Traffic Control Devices." When a detour is allowed, police dispatch and local newspapers shall be notified by the Applicant in advance of the work being started.
 - No open cutting for a crossing will be allowed where the pavement is too narrow to maintain one-way traffic at all times, unless the City has granted permission for a detour.
 - If required, the contractor shall retain a professional traffic control company to provide traffic control signs, drums, barricades and services including manpower to maintain daily traffic control throughout the project.
 - Contractor shall keep construction vehicles within the work zone to an absolute minimum.
 - If closing parking stall(s) the contractor must include this request in the project plan.
5. Work in the pavement area.
 - All underground utility locations are the responsibility of the contractor.
 - All spoil/excavated material shall be hauled away by the end of each day.
 - Backfill shall be slurry mix to prevent settling.

- On asphalt streets, the open cut area shall be filled with slurry to the top of the existing sub-base and the balance shall be brought up to match the thickness of the existing street pavement with a minimum of a 3½" compacted hot asphalt surface in compacted lifts no more than 2" thick. Finished restored area shall be level across the opening and match the surface of the adjacent roadway. Full depth saw cutting is required and all edges must be square and straight.
 - Concrete streets shall conform to the current State Specification for concrete pavement including the Facilities Development Manual – Standard Detail Drawings (concrete pavement repair and replacement). The concrete bag mix must be submitted and approved. Two test cylinders shall be taken in case the first test results have not reached the required strength. Test result must show obtainment of the concrete required strength of 3500 lbs before pavement can be opened to traffic. The open cut area shall be brought up with slurry to the top of the existing sub-base and the balance shall be brought up to match the thickness of the existing road with a minimum of 9" finished concrete with a brushed surface. If street has an asphalt surface over the concrete, then allowance must be made for 2" of compacted hot asphalt surface. Finished restored area shall be level across the opening and match the surface of the adjacent roadway. Full depth saw cutting is required and all edges must be square and straight.
 - Curb and Gutter removal and replacement shall conform to the current City specifications.
 - Contractor shall be responsible for any settlement of the restored area for one full year from date of acceptance by the City.
 - If the City is required to take any action to protect the excavation or repair the surface, the contractor shall be billed for the City's costs.
 - Boring or auger methods shall be used whenever possible.
 - A temporary cover of asphalt shall be placed over the excavation to return traffic to normal as quickly as possible if permanent restoration is delayed.
6. Work outside of pavement area but within the right-of-way.
- Contractor shall be responsible to verify the location of the proposed underground utility prior to installation.
 - No underground utility shall be installed within a clear zone of two feet behind the back of curb.
 - All excavated areas shall be backfilled, compacted and leveled at the end of each work day on the portion installed.
 - All spoil material shall be hauled away within 24 hours.
 - Restoration from November 1st through May 1st requires temporary winter stabilization until spring restoration with permanent seeding.
 - Permanent seeding shall occur from May 1st through November 1st.
 - Prior to placement of grass seed mixture, the contractor shall place a minimum of 4 inches of good quality sifted top soil so that it is slightly higher than the natural surface of the ground or hard surface areas. Uniformly apply fertilizer at a rate of 7 pounds per 1000 square feet and lightly disc or harrow into soil in conjunction with final top soil preparation, before seeding.
 - Grass seed shall consist of 50% Kentucky Bluegrass, 50% Perennial Ryegrass or any combination of the same two types of seed. City will accept up to 10% Red Fine Fescue. Annual grass seed is not permitted. The selected seed mixture shall be sown by means of equipment adapted for this purposes, or it may be scattered uniformly over the areas by hand. After the seed has been placed it shall be lightly raked to cover the seed with approximately one-fourth inch of soil, lightly compacted and then mulched. Contractor's attention to keeping mulch in place will be required. Repair or replace any area top soiled, seeded and mulched that settles, washes out, does not grow, is excessively weedy, erodes or fails in any manner within a one year warranty period at no cost to City.
 - All seeded areas must be sufficiently watered for the first 14 days or until complete germination to maintain a uniform stand of healthy grass.

- All restoration shall be completed within 14 days once an area is disturbed. Any other type of restoration must be approved by the City prior to the work being done.
 - Upon completion by the contractor, the responsible party shall contact the City of Oconomowoc at 262.569.2189 for inspection and approval.
7. Exterior Paint Stripping
- All local, state and national codes regarding containment of particulates, containment or treatment of used chemicals and runoff water shall be followed.
 - DNR Environmental Warden and City Wastewater Treatment Plant to be contracted before any runoff, treated or untreated, is allowed into the sanitary or storm water sewer systems.
8. Scaffolding
- All scaffolding shall be assembled and installed per OSHA standards.
 - All scaffolding assembled over one section high must be OSHA certified.
 - Contractor shall leave at all times a minimum of three feet of concrete sidewalk for pedestrians.
 - Contractor shall use a walk under scaffolding when working on two stories or more.
 - Public sidewalk may be closed if part of the approved project plan of operation. Provisions must be made to close the sidewalk or provide protected temporary pedestrian access.
 - In the event the contractor is given approval to close the sidewalk, proper signage shall be placed indicating the closure.
 - Contractor shall maintain building exits at all times.
9. Lift Equipment
- Contractor shall use a Snorkel lift or a Boom truck to supply any material over the public sidewalk area.
 - Contractor can only use a vertical lift (Scissor lift) for supplying material over one story.
10. Site De-watering
- A de-watering plan must be submitted and approved prior to any de-watering operations. If de-watering is necessary, all liquid shall be treated prior to discharge using Best Management Practices (BMP) such as portable sediment tanks, filter/dirt-bags or similar filtration devices designed to meet the DNR minimum standards to achieve 40% removal of total suspended solids (discharge water is clear).
11. Erosion Control
- An Erosion Control Permit is required if the project involves the laying, repairing, replacing, or enlarging of an underground utility, pipe or other facility, or the disturbance of road ditch, grass swale or other open channel for a distance of 300 feet or more; or is a land disturbing activity, regardless of size, that the Department of Public Works determines is likely to result in storm water runoff which exceeds the safe capacity of the existing drainage facilities or receiving body of water.
 - Contractor shall provide all best management practices necessary to meet the requirements of the City's Erosion Control Ordinance and shall be maintained consistent with the maintenance standards contained in the "Wisconsin Construction Site Best Management Practice Handbook". The contractor shall be responsible for maintaining all the best management practices during the duration of the project.
 - Contractor at the project location shall provide an access drive or parking area of sufficient width and length to prevent sediment from being tracked onto public or private streets as necessary.
 - Contractor shall keep all abutting public or private streets free of debris, sediment and mud throughout performance of the project.
 - Contractor shall thoroughly remove any debris, sediment and mud from all adjacent properties, sidewalks and streets before the end of each work day. Use of water or flushing is not allowed.

- Contractor shall maintain dust control on the project site throughout the performance of the work.
- The contractor shall make sure the final cleanup of the project site is acceptable to the City.
- All storm drain inlets shall be protected at all times with filter fabric or equivalent barrier.

12. Site Plan

General clarification of information needed but not limited to:

- Must not be drawn free hand.
- Must be of adequate size/scale to be clear and readable.
- Show all utility information.
- Illustrate property lines.
- Illustrate right-of-way lines.
- Illustrate sidewalk location.
- Illustrate back of curb or edge of roadway.
- Property addresses.
- Street name.

Insurance Company Name

Bond No. _____

PENAL BOND

KNOW ALL MEN BY THESE PRESENTS:

That we, _____

as Principal, and _____, as Surety, a corporation under the laws of the State

of _____, having its principal office in the City of

_____, as Surety, are held and firmly bound

unto the City of Oconomowoc in the penal sum of _____ Dollars, lawful

money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs,

executors, administrators, successors and assigns, jointly and severally, firmly, by these presents.

WHEREAS, the above bounden Principal has been granted a permit by the City of Oconomowoc to improve a facade located at _____

Oconomowoc, Wisconsin.

NOW, THEREFORE, the condition of this obligation is such that if the above bounden Principal as such licensee or permit tee shall indemnify said Oblige against all loss, costs, expenses or damages to it caused by said Principal's non-compliance with or breach of any repair or damages to public property including but not necessarily limited to, sidewalk, curb and gutter, street, fire hydrants, benches, utility poles, etc. laws, statutes, ordinances, rules or regulations pertaining to such license or permit issued to the principal, which said breach or non-compliance shall occur during the term of this bond, then this obligation shall be void, otherwise to remain in full force and effect.

The term of this bond is for the period beginning on _____ and ending on _____.

No cause of action shall lie against the Surety unless commenced within two years from the date of cause of action accrues against the Principal.

Signed, sealed and dated the _____ day of _____, 20 _____

(seal)

Insurance Name

(Principal)

By _____ Surety

Insurance Co Name
(seal)

By _____

Attorney-In-Fact, Attorney's Name