

RIGHT-OF-WAY EASEMENT PERMIT APPLICATION

TOWN OF CULPEPER
Planning and Community Development
400 S. MAIN STREET, Suite 301
CULPEPER, VA 22701

NOTE: This is only an application for a right-of-way/easement permit. The permit must be signed by the Town Manager and given a permit number before the permit is valid.

540-825-0285 - Phone
jwhetzel@culpeperva.gov

Incomplete applications will delay review – COMPLETE ALL SECTIONS OF THIS APPLICATION

Date		Name of Project	
Location of Project			
Tax Map Number		Proposed Start Date	
Linear Foot of Installation:		<input type="checkbox"/> Franchise Agreement (Yes)	Not less than 1 week from today's date
Purpose			
Applicant			
Applicant Street Address			
Applicant City, State, Zip			
Applicant Telephone Number			
Emergency Contact Name and Telephone Number			
Contractor			
Contractor Address			
Contractor City, State, Zip			
Contractor Telephone Number		Contractor License #/Class	
Contractor Contact Name			The above license number may be waived by a property owner accepting all responsibility and liability by signing below:

Signature of Applicant

Signature of Property Owner

The applicant understands and agrees that any permit granted must be exercised in accordance with all pertinent provisions and requirements of this permit, and, in particular, the Town ordinance regulating right-of-way/easement construction (Town Code, Chapter 21, Section 21-16).

The applicant hereby agrees to indemnify and hold harmless the Town of Culpeper from all claims for damages to persons or property resulting from the digging up or opening of any street, alley or utility easement within the Town by him or his agent or by failure to safeguard such work. The applicant agrees to adhere to all OSHA and VOSHA safety standards.

The applicant has **read and understands** all notes and special provisions attached to this permit.

*******ADMINISTRATIVE SECTION*******

Fees Paid		ROWE Case Number		Conduit Fee	
------------------	--	-------------------------	--	--------------------	--

Distribution List

- Chief of Police
- Light Power Director
- Public Works Director/Town Engineer
- Town Treasurer/Finance Director
- Town Manager as final sign-off and approval.

**Please return the original application to
the Town of Culpeper Public Works
Department for final distribution of
copies.**

**Administrative Section
version 12.2021**

TOWN OF CULPEPER RIGHT OF WAY PERMIT
NOT VALID UNLESS APPROVED BY ALL LISTED DEPARTMENTS

Chief of Police, Culpeper Police Department:

- Recommend Approval
- Recommend Approval with Comments
- Recommend Denial

Director of Public Works/Town Engineer:

- Recommend Approval
- Recommend Approval with Comments
- Recommend Denial

Director of Light & Power:

- Recommend Approval
- Recommend Approval with Comments
- Recommend Denial

Treasurer/Director of Finance:

- Recommend Approval
- Recommend Approval with Comments
- Recommend Denial

Town Manager:

- Approval
- Approval with Comments
- Denial

FINAL APPROVAL RECORDED BY ROW COORDINATOR:

Signature: _____

Date: _____

- Approved
- Approved with Comments
- Denied

TOWN OF CULPEPER

RIGHT-OF-WAY / EASEMENT PERMIT PACKAGE

PRIOR TO START OF ANY WORK – CALL

1. Miss Utility.....800-552-7001
2. Public Works Department...540-825-0285
3. Police Dispatcher.....540-727-3430

E911 must be notified prior to start of any work being done in traveled portion of roadway or before any lane or street closings.

Permitted working hours on arterial highways & collector roads*:

Monday – Thursday: 8:30AM – 3:00PM

Friday: 8:30AM to 1:00PM

***Arterial highways: Rte. 3, Rte. 15, Rte. 29N & S, Rte. 229, Rte. 522
collector roads: Sunset Ln., Laurel St., East St., West St., Blue Ridge Ave., Old Brandy Rd., Old Rixeyville Rd., Belle Ave.**

Extended time and any deviations must be approved by the Director of Public Works or appointee. No work on weekends or holidays, unless approved by Town or in an emergency as defined by Town Code, Section 21-16(e).

NOTE: All cuts must be backfilled with 21-A gravel, compacted, and asphalted (either temporary or permanent) at end of workday. All permit holders may be required to have compaction tests performed and to bear that cost, if in the opinion of the Town Engineer they are necessary. Test results to be submitted to inspector during inspection.

Important Notes about the Permit

1. Permit must be obtained prior to start of any work and shall be kept at the construction site.
2. Permit is valid for 90 days from approval.
3. A permit fee of \$100 shall be paid at the time permit is submitted. If a permit is not issued, a refund will be made.
4. No later than two weeks before the expiration, for a fee of \$25, the permit may be extended an additional 60 days thereafter, upon written reason for extension.
5. Upon completion of work, call the Department of Public Works at 540-825-0285 for final inspection. Applicant must bring permit to this inspection.
6. At the Town Engineer's discretion, a bond, cash bond or letter of credit may be required; depending on the type of work being done. Some utility companies may post a yearly bond or letter of credit. The Town Engineer will determine the amount of any bond or letter of credit.
7. If any work under a permit does not meet Town standards, no further permits will be issued until work has been corrected.

.....
TOWN OF CULPEPER, VIRGINIA

SPECIAL PROVISIONS IN CONNECTION WITH THE CONSTRUCTION PERMIT

1. All work done under this permit on the right-of-way or easements, in all respects, including location, alignment, elevation and grade; manner of performing the work; restoration of conditions, etc., shall be subject to Department of Public Works directions and shall be performed to the satisfaction of the Department, in conformance with the applicable Virginia Department of Transportation specifications and standards.
2. **The Contractor shall be responsible for all damages to existing underground utilities occasioned by his operations.** The Contractor shall satisfy as to their correct locations by means of exploratory test pits and information from utility owners. Any Town of Culpeper water or shallow sanitary pipe crossings on test pits must be inspected by the Public Works Department prior to backfill.
3. **The Department of Public Works reserves the right to stop the work at any time for unsatisfactory compliance to the terms of the permit, and the Department may, at its discretion, complete any of the work covered in the permit at the permittee's expense,** including that work which is necessary to restore shoulders, ditches and drainage structures to their original condition.

4. This permit is revocable at the pleasure of the Department, and permittee may be required to move, alter, change or remove from the road right-of-way in a satisfactory manner any installations made on the right-of-way under this permit.

5. Streets are not to be blocked or closed without written permission of the Town Manager. All traffic control shall be in accordance with the Virginia Work Area Protection Manual, current edition. Signs, in accordance with the specifications of the Virginia Manual of Uniform Traffic Control Devices, are to be located as directed by the Street Superintendent or his representative. Where one-way traffic is permitted to be maintained, it shall be flagged at all times. At all times, traffic shall be properly protected by adequate lights, barricades, signs, and properly certified flagmen, when needed. Contractors must provide proof of flagging certification.

6. Long open trenches will not be permitted. Trenches on vehicular traffic ways and sidewalk areas are to be backfilled before the end of the day.

7. (A). All backfilling of trenches shall be in layers of not greater thickness than six inches and shall be made to a minimum of 95% theoretical density, at optimum moisture content, in accordance with VDOT Highway Road and Bridge Specifications Pavement Design. On pavement cuts, the pavement shall be replaced per Town Regulations; the material used must conform to highway specifications. Compaction shall be by either pneumatic tampers or other approved method(s). Compaction by water will not be permitted. **The permittee will be held responsible for any deterioration of backfill or pavement for a period of one year after repair completion.**

(B). Backfilling of trenches shall be compacted in horizontal layers of not more than 6 inches and shall be compacted to **95 percent compaction and, 100% of standard proctor required on top 12" of subgrade.** On pavement and shoulder area, only VDOT 21-A aggregate may be used to backfill trenches from sub grade level to a depth of 3 feet. From 3 feet depth and below, the excavated material may be used if found suitable or satisfactory by the Inspector. A proctor may be required.

8. Whenever pavement is permitted to be cut, not over one-half street width shall be disturbed at one time; on crossings, the first opening shall be completely restored to a satisfactory travelable condition before the second half can be opened. Where the pavement is disturbed, or deemed weakened, it shall be restored or replaced in manner as directed by and to the satisfaction of the Department of Public Works.

9. Each pavement cut shall be covered with a temporary or permanent patch the same day the excavation is made. Steel plates may be used upon inspector's approval only. The minimum thickness of temporary asphalt patch is 6 inches. For permanent asphalt restoration, the minimum thickness is 1.5 times the existing pavement thickness. After the repaving has been completed, the joint between the new and existing paving shall be sealed with an application of asphalt cement.

10. The street is to be maintained at all times in a clean, mud- and dust-free condition. No excavated material is to be placed on the pavement without written permission of the Department of Public Works. When so permitted, the pavement shall be satisfactorily cleaned by an approved method. No cleaned equipment is to be used on the pavement.

11. It is the duty of the Department of Public Works to keep and maintain all roads in a safe, travelable condition at all times; for them to be able to do this, they must have the cooperation of the permittee and all concerned. The permittee must understand that, in case it is found practicable and necessary to do so, the Street Division Superintendent or Director of Public Works has the authority to suspend the work.

12. Road drainage is not to be blocked. The shoulders, ditches, roadside and drainage facilities, as well as the pavement, shall be kept in condition satisfactory to the Department of Public Works. A smooth grade shall be maintained from the centerline of existing road to proposed curb and gutter to preclude the forming of false gutters and/or the ponding of any water on the roadway.

13. Road and street connections and private entrances are to be kept in satisfactory condition. Entrances are not to be blocked, and ample provisions must be made for safe ingress and egress to adjacent property at all times. Where entrances are disturbed, they shall be restored to the satisfaction of the Department of Public Works.

14. All roadway crossings are to be made as nearly as possible at right angles to centerline of the road. Wherever possible, pipe lines must be jacked, driven, or otherwise pushed under the roadway or a portion thereof, especially on concrete or other hard surface roadways, in order to eliminate as far as possible the cutting of the pavement.

15. Inspection hours are Monday – Friday, 7:30 AM – 4:00 PM, except on Town holidays. Should any inspector be required after hours, on weekends, holidays, etc., the Town will require reimbursement by the contractor. Inspections require a minimum of 24 hours notice.

16. The permittee shall have corrected immediately any situation that may arise as a result of these installations that the inspector deems hazardous to the traveling public, even though it may not be specifically covered in the permit.

17. All damaged sidewalk and/or curb and gutter to be removed to the nearest joint and replaced.

18. No trees or shrubs to be cut or trimmed unless approved. Where landscape is disturbed on Town right-of-way, it shall be replaced with a minimum of 2 inches of topsoil and reseeded. Tree roots over 3 inches in diameter are to be clean cut with an axe or saw. Particular attention should be given not to splinter the roots next to the tree.

Wherever possible, tunneling through or under roots should prevail over cutting of anchor roots.

19. The permittee assumes full responsibility for all damages that occur due to work performed under this permit, including responsibility to the owner for any and all damages to any other installations already in place as a result of work covered by this permit.

20. Prior to any excavation, the permittee shall comply with the terms of the Underground Utility Prevention Act, Title 56, Chapter 10.3, Sections 56-264.14 through 56-265.32, Code of Virginia, as amended. Any conflicts with existing utility facilities shall be resolved between the permittee and the utility owner(s) involved.

21. Prior to any excavation near signalized intersections, it is the responsibility of the permittee to notify the Director of Light and Power at 540-825-8165.

22. Permittee acceptance and use of this permit is *prima facie* evidence that the permittee has read and is fully cognizant of all required permit provisions, applicable traffic control and associated construction standards to be employed.

23. In the event that any underground utility line is damaged by the permittee during the course of work under this permit, all work must cease until the damage is repaired by the appropriate utility. Signs shall be in accordance with the specifications of the Virginia Manual of Uniform Traffic Control Devices. The signs are to be located as directed by the Street Superintendent or his representative. Traffic is to be protected at all times by adequate lights, barricades and construction signs.

NOTICE – FLAGGING CERTIFICATION REQUIREMENTS

All persons who flag traffic on Town right-of-ways must be certified.

Certification is received by successfully completing the State of Virginia Department of Transportation Flagging Certification Course for Construction and Maintenance Traffic Control.

The Certification Card must be carried by flaggers and shown when requested by Town or VDOT inspectors.

Sec. 21-317. - Restoration of improvements.

- (a) Any person who damages, disturbs or destroys any pavement, sidewalks, curbs, gutters, or any other portions of sidewalks or public ways shall promptly restore and replace them at that person's own expense and in accordance with the Facilities Standards Manual adopted under Town Code section 22-7, including daily, cold weather, and permanent restoration and replacement.
- (b) For every longitudinal cut within the travel lanes of improved streets, the person responsible shall restore and replace the full width of the travel lane(s) affected by the cut with a minimum length of restoration of fifty (50) feet, or to the reasonable satisfaction of the town engineer.
- (c) For all damage, disturbance, or destruction of travel lanes of improved streets other than longitudinal cuts, the party responsible shall restore and replace the width of the entire travel lane(s) affected for a distance of twenty-five (25) feet of pavement on either side of the area affected, or to the reasonable satisfaction of the town engineer. This includes any damage or disturbance due to potholing for boring observations.
- (d) For damage, disturbance, or destruction of pavement, sidewalks, curbs, gutters or other portions of sidewalks or public ways other than as described in subsections (b) or (c) of this section, the person responsible shall restore or replace the affected improvements to the reasonable satisfaction of the town manager or town engineer.
- (e) The person responsible for restoration and replacement under this section shall maintain, repair and keep in good condition all portions of public ways or other public areas restored or replaced for a period of two (2) years following such restoration or replacement.

(Ord. No. O-2019-003, § 2, 5-14-19)