

APPLICATION AND PERMIT FOR USE OF CITY OF LAPEER
PUBLIC RIGHT-OF-WAY

Date: _____

Permit # _____



Department of Public Works, 810-664-4711
217 Bentley Street, Lapeer MI 48446
ROW Permit issued through our Building Department
Located at 576 Liberty Park, Lapeer MI 48446
810-245-9621

Applicants Name: _____

Mailing Address: _____ City _____ State _____ Zip Code _____

Cell #: _____ Email: _____

Print Site Contact Name and Telephone #: _____

Request: I do hereby make application for a permit to use the right-of-way at the following location:

Job Address: _____

Brief Work Description: _____

For a Period Commencing _____ and Ending Date _____

(Permit expires on end date provided by contractor)

Detailed Description Attached: Plan Sketch Other

Fee Amount: _____ Bond Amount: _____ Type of Bond: Cash Surety Other

DAS/Small Cell Facilities: New Pole(s) #Pole(s) Co-Location Pole(s) #Pole(s)

Trees within Right-of-way affected by the proposed work? **Yes** **No** Tree Replacement Fee \$ _____

I certify that I accept the following: 1. Commencement of work set forth in the permit application constitutes acceptance of the permit as issued including all General Conditions outlined on Page 2 of this permit. 2. Failure to object within 10 days to the permit issued constitutes acceptance of the permit as issued. 3. If this permit is accepted by either of the above methods I will comply with the provision of the permit.

Applicants Signature _____ Date _____ Authorized Agent Signature _____ Date _____

Print Name _____

(I hereby Certify that I am acting as
Authorized Agent on behalf of
the named applicant)

Note: Please call 810-664-4711, 24 hours in advance to schedule a Right-Of-Way inspection.

FOR OFFICE USE BELOW

APPROVED TO ISSUE RIGHT-OF-WAY PERMIT BY DEPARTMENT OF PUBLIC WORKS

By: _____ Date: _____

FINAL INSPECTION FOR RELEASE OF BOND AND PERMIT FEES OF \$250

- Has the work covered by permit has been completed satisfactorily?
- Recommend inspection Deposit Refund:
- Recommend Performance Bond be Released:
- Is this a DAS/Small Cell Facility?

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

Inspected By: _____ Final Insp Date: _____

Date Deposit Refund Mailed: _____ Fund Transfer: _____

CITY OF LAPEER
PUBLIC RIGHT-OF-WAY PERMIT

GENERAL CONDITIONS – This permit is issued subject to the following conditions:

1. A permit fee of \$500 is required for inspections. Form Inspection and a final inspection are required. The permit holder must contact the Department of Public Works (DPW) at 810-664-4711, 24 hours in advance for the inspection. If both required inspections are completed and approved by the DPW, and all the items are met \$250 will be refunded to the person who posted the inspection deposit.
2. Issuance of this permit does not relieve permittee from meeting all requirements of law or of other public bodies or agencies.
3. The permittee agrees as a condition of the permit to provide and maintain all necessary precautions to prevent injury or damage to persons and property from operations covered by this permit and to furnish, install, and maintain all necessary traffic controls and protection during permittee's operation in accordance with Part 6 of the Michigan Manual of Uniform Traffic Control Devices.
4. Performance of the requirements of this permit is the responsibility of the permittee and the permittee shall complete all operations for which this permit is issued in accordance with the conditions of this permit and by the specified completion date. The permittee shall meet all requirements of the current City of Lapeer Standards for Construction and all applicable Rules, Regulations and City of Lapeer Ordinances.
5. The permittee shall be responsible for the cost of restoration of the roadway facilities and right-of-way as determined by the DPW as is relates to a construction project and/or damage, because of the activities of the permittee.
6. The permittee shall save harmless the City of Lapeer against and all claims for damages arising from operations covered by the permit and, upon request, shall furnish proof of insurance coverage for the term of this permit in any amount pre-specified.
7. The permittee, upon request from the City, shall immediately remove, cease operations, and surrender this permit, or alter or relocate, at the permittee's own expense, the facility for which this permit is granted. Upon failure to do so, the City may take any necessary action to protect the roadway interest and the permittee shall reimburse the City for its cost in doing same. The permittee expressly waives any right to claim or compensation in the event this permit is revoked.
8. The permittee shall furnish a \$5,000 performance surety bond, or cash to the City of Lapeer to guarantee restoration of the public right-of-way or performance under the conditions of the permit.
9. The permittee hereby acknowledges and agrees that the City has the right to demand completion by the permittee, or the performance surety or to complete and incomplete activity authorized by this permit which adversely affects the operation and/or maintenance of the public right-of-way or which is not completed by the expiration date of the permit.
10. The permittee further acknowledges that he/she shall immediately reimburse the City in full for all such cost incurred by the City upon receipt for billing and that upon failure to pay, the City may affect payment with the performance surety deposit. Should the surety deposit be insufficient to cover expenses incurred by the City, the permittee shall pay such deficiency upon billing by the City. If the surety deposit exceeds the expense incurred by the City, upon completion of work to the satisfaction of the City, any excess will be returned to the depositor.
11. In a new construction project, the permitted is responsible to restore the Right-of-Way so that soils are level to sidewalks and curbs with substantial grass growth or other restoration method and/or material approved by the DPW is in place prior to release of permits and approving for a Certificate of Occupancy. An additional bond amount may be requested by the City for Right-of-Way restoration if a Conditional Certificate of Occupancy is requested by the permittee.

12. In the event the permittee for new construction does not have a contract for site restoration prior to the DPW releasing the original permittee for the Right-of-Way permit and bond the new and/or existing project property owner is required to have a Right-of-Way Permit with permit fees paid and insurance bond of record with the city to ensure the Right-of-Way will be restored and that no damage occurs to city street assets in completing site restoration. It is not the city's responsibility to inform the property owner of this requirement, as it should be discussed between construction projects participants prior to the start of construction.
13. The City reserves the right during any time, or all the work is being performed to assign and inspector to protect the roadway interest and to charge the permittee for all such costs incurred.
14. The permittee shall notify the City upon completion of all work accomplished under the provisions of this permit.
15. Reference Chapter 66 for information on DAS/Small Cell Wireless Facilities within Public Right-of-ways.

Inspection Requirements:

1. Inspection is required prior to concrete for the following items within the Right-of-Way:
 - a. All driveway approaches Specification Information:
 - I. Commercial –All commercial drives within the Right-of-Way shall be concrete with a minimum thickness of 8” and reinforces with 6”x6”x6” steel mesh.
 - II. Commercial and industrial shall be MDOT Type “M” openings.
 - III. Commercial drives shall be the width approved by the City.
 - IV. Heavy Industrial shall be designed by and engineer and approved by the City.
 - V. Residential - All residential drives within the Right-of-Way shall be concreted with a minimum thickness of 6”.
 - VI. Residential - No residential driveway shall have an opening greater than 34’, unless approved in writing by the City.
 - VII. Residential - On a residential approach the minimum flaring shall be 3’ on the right and 2’ on the left side. Maximum flaring width is 6’ unless otherwise approved.
 - VIII. Residential – approach flaring length shall be a minimum of 10’
 - IX. Residential – no new driveway shall be constructed in an existing neighborhood, unless approved in writing by the City.
 - X. Residential, commercial, and industrial driveways-curb cuts are prohibited in construction of a new driveway. An existing curb shall be removed to create a new driveway approach.
 - XI. Sidewalks have a minimum thickness of 4”, unless is in a driveway which requires 6”
 - XII. Driveway slope: Maximum is 10% - Minimum is 2%
 - XIII. Sidewalks and Driveways shall be air-entrained concrete with a minimum Compressive strength of 3,500
 - XIV. See City of Lapeer Construction Specifications for additional information.

b. Inspection **prior** to concrete is required:

- **Contact the Department of Public Works (DPW) 24 hours in advance to schedule an inspection prior to concrete at 810-664-4711.**

Inspect the thickness of the driveway, approach, and sidewalk

Inspect to ensure sidewalk and driveway base has 4” of Class II sand, compacted to 95% density. All other base material must be approved by the DPW in advance.

Sidewalk constructed the entire width of the property line or lines

Sidewalk matches existing sidewalk within a new development and/or has a 5-foot width

c. Inspection for **final approval** for a Right-of Way Permit:

- ***Contact the Department of Public Works (DPW) 24 hours in advance to schedule a final inspection, as required to release the bond and \$250.00 of permit fees, at 810-664-4711.***

Inspection completed by DPW prior to concrete (sidewalk, Driveway approach, and curb),

Inspect for damage to City assets because of the construction project.

Public Streets are clean of debris

Sidewalk and driveway clean of debris

All construction material is removed from site

Site is graded is completed.

Restoration is completed with significant grass growth has taken place. If the work is constructed during cold fall, winter, and spring months not favorable for growing grass the bond **will not be released** until weather is favorable and significant grass growth has occurred.

In the event the builder/contractor does not have in their contract with the property owner site restoration, in that the property owner is to perform site restoration, the Right-of –Way permit will not be released until the persons who are going to perform site restoration has a Right-of-Way permit and bond in place with the city. It is not the city’s responsibility to inform the property owner of this requirement, as it should be discussed between project participants prior to the start of construction.

d. Inspection New Residential, Commercial Construction:

Residential reference: City of Lapeer, Department of Public Works, New Residential Construction Inspection form.

Commercial and Industrial: An inspection will be completed by the DPW using approved Engineering plans for reference and the inspection listed in C. of this document.

**Submit all Right-of Way Permits to Building Department.
Complete Right-of-Way Permit at Building Department, 111 Howard Street,
Lapeer Mi
810-245-9621**

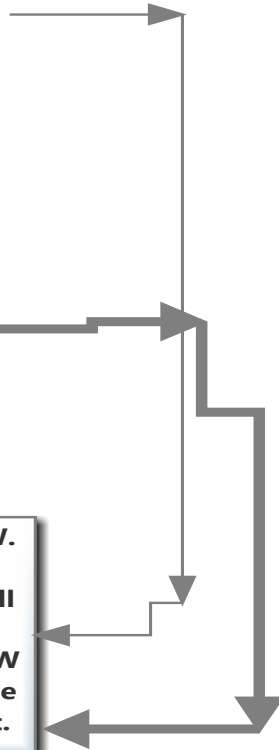
**Department of Public Works is then contacted to review ROW permit Application. It will be approved if all required document and fees have been provided. If items are missing the applicant will be contacted in regards to the missing items.
DPW: 217 Bentley, Lapeer, 810664-4711**

Prior to concrete a inspection is required, reference "b. and c." of this document for information. If only for sidewalk, curb and/or driveway replacement or repair

**New construction: Residential, Commercial and Industrial
reference: construction Specifications; Inspection requirements for Right-of -Way.**

Final Inspection completed by the DPW. If approved, the DPW will release of Bond and \$250.00 of the permit fee will be released. If not approved the contractor will be contacted by the DPW to inform them of items that need to be correct prior to release of ROW permit.

Once all items are completed the DPW will approve the Right-of-Way permit for release. All necessary paper work will be completed by the Building Department to close out a project.



<p style="text-align: center;">Check Box when completed Put initials of person who reviewed and approved</p>	<p style="text-align: center;">TASKS THAT NEED TO BE COMPLETED TO INSTALL Das/Small Cell/Wireless Facilities - Ordinance Chapter 66</p>
	<p>All Plans, Attachments and License Agreements are to be <u>submitted to the Department of Public Works for review and approval</u>. Once approved by the DPW, The Building Department will be notified that a Right-of-Way permit can be issued. 217 Bentley Street, Lapeer Michigan 48446, Telephone # 810-664-4711</p>
	<p>Compete and submit a site plan for review that meets Design Parameters in section 66.04 of the ordinance</p>
	<p>Complete License Agreement –Review Overview for additional information</p>
	<p>A. 2.0 - <u>fill in start and end dates</u> for the agreement - agreement is in place for as long as the equipment remains in the public ROW</p>
	<p>B. 3.1 - Provide <u>Exhibit “A”</u> for review and approval</p>
	<p>C. 3.1.1 – Provide a map and list of locations for all DAS/Small Cell Network Equipment</p>
	<p>D. 6.0 - <u>Insurance information</u> is required at the time of submittal of the license agreement for review and approval</p>
	<p>E. 7.1 - <u>Administrative fee of \$ 500.00</u> is due when submitting License Agreement for review and approval</p>
	<p>F. 7.1 - A <u>monthly bill</u> will be generator by the Department of Public Works each month base on \$ 150.00 for each pole placed within the Public ROW</p>
	<p>G. 10.0 – Provide Licensee mailing and contact information</p>
	<p>H. 12.2 – Provide Licensee information as requested</p>
	<p>Prior to performing the work, a <u>\$10,000 bond</u> is required. It will be attached to the License Agreement as Exhibit “B”</p>
	<p>Prior to performing work within the R.O.W. a <u>Right-of-Way Permit is required</u>. This can be obtained from the Building Department, 111 Howard Street, Telephone # 810-245-9621</p>