

Athens Township

Athens County, Ohio

RIGHT-OF-WAY USE PERMIT APPLICATION

Ohio Revised Code §5571.02, §5571.08, §5571.14, and §5571.16

(Permit fee \$50.00 due if approved – Athens Township Board of Trustees Resolution 06-28-2022A)

Owner/Organization Name: _____

Mailing Address: _____

Contact Person/Applicant: _____

Phone: _____ Email: _____

Location of work to be performed within the right-of-way (Location Map to be included):

Address or road name: _____ or Township Road Number: _____

Beginning and Ending points (if applicable): _____

Description of work to be performed within the right-of-way:

- Gas Electric Phone Cable Fiber
 Water Sewer Driveway/culvert Mailbox Tree/shrub planting
 Other (please describe): _____

(For Utilities) Type of Installation (Check all that apply):

- Overhead Line/Cable: Parallel to Road Crossing Road
Underground Line/Cable (buried/bored): Parallel to Road Crossing Road
 Other (please describe): _____

Estimated Project Schedule

Start Date (mm/dd/yyyy) ____/____/____ Completion Date (mm/dd/yyyy) ____/____/____

General Description of Work to be Performed in the Right-Of-Way:

General Construction Requirements

1. Each permit application **for utilities** must be accompanied with a set of construction drawings that contain a location map, plan & profile sheets, a typical section sheet, and a construction time schedule.
2. Excavations **for original driveway culverts** shall be the responsibility of the owner/applicant to purchase and install the pipe but upon request the installation may be accomplished by the Township. Normal installations are of twelve (12) inch polyethylene “N12” plastic pipe or other material approved by the Trustees with at least one (1) foot of cover material required unless otherwise approved for size and type of material. The culvert size may be smaller or larger and should be determined before purchase of the culvert to verify a type and size suitable for the location. A final inspection is required for culverts installed by an applicant. Replacement culverts shall be provided by and installed by the Township. The cost of any replacement driveway surface cut or removed shall be borne by the property owner.
3. Utilities installed under a roadway surface shall be enclosed in casing. Bore pits shall be at least three (3) feet from the outside of the ditch and casing shall extend continuously under ditches and roadway surfaces.
4. The option to directional bore without casing may be granted provided the utility is designed in accordance with the ODOT Utilities Manual and the following:
 - Depth of six (6) feet or greater below ditch lines and drainage structures (culverts, box culverts, bridges) shown on construction drawings.
 - Owner to submit calculations verifying that pipe internal pressure does not exceed thirty percent (30%) of SMYS (Specified Minimum Yield Strength) for the internal operating pressure.
 - Lines larger than sixteen (16) inches designed in accordance with 49 CFR 192, 193, or 195 as applicable.
5. Excavations for buried utility lines shall be marked with permanent identification and the casing shall extend beyond the ditch areas. Lines shall be installed at a minimum of forty-eight (48) inches below the surface, except that lines shall be installed a minimum of thirty-six (36) inches below a ditch grade. Utilities parallel to the right-of-way shall be installed within four (4) feet of the outer limit of the right-of-way unless approved in writing by the Trustees. Any hand hole or pull box shall be installed at or below grade. All pedestals or junction boxes located in the right-of-way will be required to have a permanent reflective marker at least six (6) feet in height.
6. All fiber optic lines shall be installed by directional drilling methods in a casing at a minimum depth of six (6) feet with eight (8) feet being the preferred depth. If the Township requires fiber optic conduit and fiber wire located in the future, the telecommunication company will accurately locate by excavating and uncovering the fiber optic line (i.e. commonly called “Pot Hole” method).
7. Any trenches within four (4) feet of the edge of the pavement shall be thoroughly compacted with granular backfill or controlled density fill (cement) as specified by the Trustees. Berms shall be restored to as good a condition as before construction.
8. Overhead/aerial utilities shall be installed at a minimum clearance of sixteen feet, six inches (16.5’) and maintained in accordance with National Electrical Safety Code standards.
9. If a road surface or other area of the right-of-way is damaged, it is the responsibility of the permit holder at their own expense to restore the road or area to as good or better condition than before the start of construction. The Trustees reserve the right to have Township crews repair damaged/unrestored road surfaces or areas at the permit holder’s expense.

- 10. All traffic control shall be the responsibility of the applicant or their agent and conform to the current edition of the Ohio Manual of Uniform Traffic Control Devices (OMUTCD) published by ODOT.
- 11. Posted bridge load limits will be strictly enforced by the Athens County Engineer.
- 12. Any utility installations that are not at the required or agreed upon horizontal location and/or required depth shall void the permit and therefore have no claim for reimbursement if the utility is damaged by any government or private entity.

General Provisions of the Permit

- 1. All the work contemplated under this permit shall be done under the supervision and to the satisfaction of the Athens Township Trustees. The entire expense thereof shall be borne by the party or parties to whom this permit is issued. Any deviation from the proposed project schedule shall be given to the Athens Township Trustees at least forty-eight (48) hours prior to commencing work via phone at (740) 592-1523 and/or email at zoningathenstwp@gmail.com or jmarcum@athenstwp.com.
- 2. This permit gives the permit holder the right to construct/repair utility appurtenances and/or driveway(s) within the public right-of-way, but does not confer any public or private easement rights. If in the opinion of the Trustees it becomes necessary in the process of any future work to order the removal, reconstruction, relocation or repair of any of the fixtures or work performed under this permit, said removal, reconstruction, relocation or repair shall be wholly at the expense of the owner thereof and be made as directed by the Athens Township Trustees. If the Township initiates construction and/or utility work in the area of this permit in the future, the permit holder shall be responsible for any required hand-excavating and exposing of the utility line covered by this permit. The Township and its agent will exercise due caution in their work, but the owner of the utility will be responsible for repairs due to inadvertent damage to the utility line by the Township or its agents.
- 3. At all times during the progress of the work, adequate protection and passage shall be provided by the permit holder for the traveling public. Not more than one-half (1/2) of the traveled roadway shall be closed at one time; such barriers shall be erected and maintained as may be necessary for the protection of the traveling public; the same shall be properly lighted at night; and the party or parties to whom this permit is issued shall be responsible for all damages to persons or property due to or resulting from any work done under this permit.
- 4. Any expense of the Township which may occur as a result of this project, including necessary inspection(s), shall be billed to and paid by the applicant and holder of this permit.
- 5. This permit gives only the rights that are under the control of the Township and is not a guarantee that any other permits, right-of-ways, or easements are not required.
- 6. All work is to be done in accordance with applicable laws, including permit holders notification of appropriate underground utilities protection services.
- 7. Applicant agrees to hold harmless Athens Township, Athens County, Ohio, the Athens Township Trustees and/or their agents/employees from and against any liability or damage to persons or property occurring as a result of the applicant's construction or operation of its installation within the public right-of-way.
- 8. Any special conditions are attached hereto as an Addendum No. _____, dated_____

By my signature I hereby certify that the facts, statements, and information presented in this application and any documents attached hereto are accurate, true, and correct to the best of my knowledge and belief and that I understand that any misrepresentation or omissions of any information required in this application may result in the application being delayed or denied by Athens Township.

In connection with the application for permit, I hereby certify that I have read and fully understand all the information and applicable requirements of Athens Township and agree to comply with all the conditions, restrictions and regulations required or as may be attached.

Agreed to by: _____ Date: _____
Applicant/Agent Signature

Applicant Printed Name/Title Company Name

Township Trustees: _____ Date: _____
Ted Linscott, Chair

Steven H. Pierson, Vice-Chair Date: _____

Brian Baker, Trustee Date: _____

FOR OFFICIAL USE ONLY

Application №: _____ Date Received: _____ Date Reviewed: _____

Approved Denied

Date approval issued: _____ Date fee received: _____

Comments: _____

