



## RIGHT OF WAY UTILIZATION PERMIT

Completed Right of Way Utilization Permits should be faxed to the City of Haines City

City of Haines City  
Public Works Department:  
300 N. 5<sup>th</sup> Street  
Haines City, FL 33844  
Phone: 863-421-3777  
Fax: 863-421-3780

### **Our Mission**

*"Our team of professionals will provide our residents and business community with the highest quality services in a fiscally responsible manner through cooperation, strong ethical leadership with a lifelong commitment to enriching lives."*



## Right-of-Way Utilization Permit

Please complete a separate application for each road

Applicant Name: \_\_\_\_\_

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

\_\_\_\_\_  
Name Permit Will Be Returned To:

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
City Road# / Section / Township / Range

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
Road Name

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_/\_\_\_\_\_  
Subdivision and / or Site Plan Name / Number

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Applicant's e-mail address

\_\_\_\_\_  
Date Paid

\_\_\_\_\_  
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: \_\_\_\_\_

Length of Time of construction: \_\_\_\_\_ days

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

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, Please print Name

To be completed by city stall

Permit # \_\_\_\_\_ Permit Fee: \$200.00 Fee Waived: Yes  No  Permit Start Date: \_\_\_\_\_

Public Works Checked By: \_\_\_\_\_ Date: \_\_\_\_\_ Approved: Yes  No

Utilities Checked By: \_\_\_\_\_ Date: \_\_\_\_\_ Approved: Yes  No

City Engineer Checked By: \_\_\_\_\_ Date: \_\_\_\_\_ Approved: Yes  No

Special Conditions: \_\_\_\_\_



## Right-of-Way Utilization Permit

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:

Please submit two (2) copies of each application and backup materials (one original and one copy) to the City of Haines City building department

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 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. Please indicate on the sketch information such as the location 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 Haines City Land Development 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 City of Haines City.

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 including 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 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, 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, at the expense of the applicant unless reimbursement is specifically authorized.

All work, materials and equipment shall meet all city codes and standards and shall be subject to inspection by the city. All right-of-way disturbed by this work shall be restored to its original condition or better and in accordance to applicable city Codes. All disturbed areas must be sodded, matching existing grass type. Bahia 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.

The city 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.

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 Florida Industrial Safety Board, and the Florida Department of Transportation Safety Manual.

The city shall not be responsible for damages to any structure placed within 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 City of Haines City. Directional bore or jack and bore operations should maintain a five (5) foot minimum clearance from edge of pavement on road crossing each side. Boring operations will not begin before 8:00AM and the commencement of boring operations will not start after 1:00PM all boring are to be completed before 4:00PM unless approved by City of Haines City. **There will be no boring operations allowed on Friday, Saturday, Sunday or holidays.** Recommended bore depth is 36" and a minimum bore depth is 30". Any overhead installations should maintain a minimum of 18 feet vertical clearance over all roadways and driveways. This permit is effective for one year from its approval date, unless otherwise rescinded by City of Haines City.

### **Inspection and Approval of Work:**

The city shall have the right to inspect and approve all materials and/or phases of work. Final inspection and acceptance of work by the city 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 Haines City Land Development Regulations. Pursuant to Section 337.403(1), Florida Statutes, any utility placed upon, under, over, or along any public road or publicly owned rail corridor that is found by City of Haines City to be unreasonably interfering in any way 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 City of Haines City 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 City of Haines City construction work, the applicant shall coordinate with City of Haines City before proceeding and shall cooperate with the City of Haines City's contractor to arrange the sequence of work so as not to delay the work of City of Haines City contractor, defend any legal claims of City of Haines City'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 City of Haines City's current Water and Wastewater Specifications Manual. The applicant shall not be responsible for delay beyond its control.

All right-of-way utilization activities shall be reported to Sunshine State One-Call at least seventy-two (72) hours prior to commencement.

**Guarantee and Responsibility for Compliance:**

In the case of noncompliance with the city'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.

The city 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, 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 property 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'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 Haines city 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**