



RIGHT OF WAY USE PERMIT

CITY OF SOUTH DAYTONA



ESTIMATED PROJECT COMPLETION COST: _____

ISSUE DATE: _____

PERMIT NUMBER: _____

PERMITTEE: _____ (Company Name)

CONTACT: _____

ADDRESS: _____

TELEPHONE DAY: (____) _____ - _____

EVENING: (____) _____ - _____

PERFORMING WORK FOR: _____ (Company Name)

The above PERMITTEE requests permission from the City of South Daytona to construct, operate, and maintain the following:

The project limits or property address for the proposed construction, described above, will be located at:

PERMITTEE is required to submit an electronic copy or two (2) paper copies of final construction drawings with permit application.

The permit application must include:

- a. A vicinity map showing the work area location;
- b. A site plan that clearly shows the facility to be constructed, installed or altered;
- c. The offset from the centerline of the right-of-way or road to the proposed facility;
- d. The road right-of-way and pavement width;
- e. The distance from the edge of the travelled way to the facility and the location of all other utilities within the work area if excavation is required;
- f. One or more typical cross-sections as required by the public works director to adequately reflect the location and construction details of the proposed facility;
- g. The minimum vertical clearance above or below the road, ground or pavement;
- h. A description of the method by which the facility will be installed and/or modified (i.e. anticipated construction methods or techniques) and timetable for construction.
- i. Temporary sidewalk closure plan. The applicant shall provide a temporary sidewalk closure plan, if appropriate, to accommodate placement or maintenance of the facility.
- j. Temporary maintenance of traffic (MOT) plan. The applicant shall provide a temporary traffic lane closure and maintenance of traffic (MOT) plan, if appropriate, to accommodate placement or maintenance of the facility.

- k. Restoration plan and estimated cost of restoration of the public rights-of-way to its original condition or better. Such good faith estimate may include, but shall not be limited to, costs to restore the curbs/gutters, sidewalks, multi-purpose trails, and landscaping. All planted or naturally occurring shrubbery or vegetation, including sod, damaged or destroyed during work in the public rights-of-way shall be replaced.

Specific Conditions:

1. It shall be unlawful for any person to install, construct, place, alter or adjust any facility on, over or under a public right-of-way without first obtaining a Right of Way Use Permit in accordance with Sections 14.51 -14.75 of the City of South Daytona's Code of Ordinances.
2. The PERMITTEE certifies the proposed facility will not materially interfere with the safe operation of traffic control equipment or existing pedestrian, vehicle or drainage facilities.
3. The PERMITTEE certifies the proposed facility will not interfere with sight lines or clear zones for transportation, pedestrian or public safety purposes.
4. The PERMITTEE shall commence actual construction in good faith within _____ days after issuance of permit, and shall be completed within _____ days after the permitted work has begun.
5. The PERMITTEE must call the Sunshine State One Call Center (811) as required by Florida Law for utility locates within the proposed project limits.
6. The PERMITTEE must notify the City of South Daytona's Public Works Department at (386) 322-3080 48-hours prior to the start of construction.
7. The PERMITTEE shall restore all disturbed areas immediately and without delay.
8. **OPEN CUTTING OF ROADWAYS WITHIN THE CITY LIMITS IS STRICTLY PROHIBITED.**
9. If construction requires traffic lane closures, then a Maintenance of Traffic (MOT) plan shall be submitted for approval with permit.
10. The PERMITTEE shall have this permit along with all approved plans in their possession at all times during construction.

General Conditions:

1. It is understood and agreed that the PERMITTEE will, at all times, and to the extent permitted by law, assume all risk of and indemnify, defend, and hold harmless the City of South Daytona from and against any loss, damage, cost, or expense arising from the activities by said PERMITTEE.
2. All utility service providers and contractors shall provide, pay for and maintain satisfactory to the City, the types of insurance described in Section 14-58 of the City of South Daytona's Code of Ordinances with the City listed as an additional insured in the endorsement.



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3. Pursuant to the City's Code of Ordinances, the PERMITTEE shall maintain a warranty period of two (2) years on all facility installations, alterations or adjustments following the completion of construction.
4. All utility service providers or contractors shall establish in the City's favor a performance construction bond to secure the restoration of the public rights-of-way. The performance bond shall be in an amount as determined by the City based on 110% of the estimated cost of the restoration of the public rights-of-way as identified in the required Restoration Plan. The performance construction bond shall be for a term of not less than one-year after the anticipated date of the later of completion of construction, restoration and City inspection. In the event a utility service provider or contractor subject to such a performance construction bond fails to complete the work in a safe, timely and competent manner in accordance with the provisions of the permit or City code, there shall be recoverable, jointly and severally from the principal and surety of the bond, any damages or loss suffered by the City as a result, including the full amount of any compensation, indemnification or cost of removal or abandonment of any property of the utility service provider or contractor, or the cost of completing the work, plus a reasonable allowance for attorney's fees, up to the full amount of the bond.

PERMITTEE: _____ SIGNATURE: _____ DATE: _____
Name and Title of Authorized Agent

APPROVED BY: _____ DATE: _____
Public Works Director or Designee

FOR PUBLIC WORKS DEPARTMENT USE ONLY

This permit is valid for a period of three (3) months after the issue date. This permit shall expire on _____.

Permitted activity has been inspected and deemed complete by _____
on _____.

Special Conditions (if applicable):

1. _____
2. _____