



CITY OF JERSEY VILLAGE, TEXAS

16327 Lakeview Drive, Jersey Village, TX 77040
713-466-2100 (office) 713-466-2177 (fax)

RIGHT-OF-WAY CONSTRUCTION PERMIT APPLICATION

PROJECT ADDRESS (or intersection): _____

Class of Work: New Extension of existing Demolition Remove & Replace

Description of Work: Telecommunications Conduit/Cable Utility Emergency Repair

Other (describe) _____

General Contractor (Company Name): _____

Address: _____ City _____ State _____ Zip _____

Phone #: _____ - _____ - _____ Fax #: _____ - _____ - _____ Cell #: _____ - _____ - _____

Contact Person: _____ (Please Print)

Sub-Contractor (Company Name): _____

Address: _____ City _____ State _____ Zip _____

Phone #: _____ - _____ - _____ Fax #: _____ - _____ - _____ Cell #: _____ - _____ - _____

Contact Person: _____ (Please Print)

JERSEY VILLAGE, TEXAS CODE OF ORDINANCES CHAPTER 58 – STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

Sec. 58-72. - Registration and construction permits.

No person shall commence or continue with the construction or installation of any structure within the rights-of-way of the city except as provided by this chapter, or as provided by other city permits or written agreements with the city.

- (a) *Registration required.* All users of the right-of-way must register annually with the City of Jersey Village. Registration and permits will be issued in the name of the person who will own the facilities. Registration shall include:
- i. The name of the user of the right-of-way;
 - ii. The name, address, and telephone number of people who will be contact person(s) for the user;
 - iii. The name(s) and telephone number of an emergency contact who shall be available twenty-four (24) hours a day;
 - iv. The location, including exact coordinates, of all structures located in the rights-of-way; and
 - v. A description of each structure located in the rights-of-way.

- (b) Construction permit required. Unless otherwise provided by this chapter, no person shall perform any construction or installation of structures in the right-of-way without first obtaining a construction permit. The permit will be in the name of the person who will own the proposed structures. The permit must be completed and signed by a representative of the owner of the proposed structures. The permit shall state to whom it is issued, location of work, location of proposed structures, estimated dates and times the work is to take place and any other conditions set out by the city manager or his/her designee, or other decision making body when applicable.
- (1) *Permit information required.* The person requesting a permit will provide the city manager or his/her designee with documentation describing:
- i. The proposed, approximate location and route of all structures to be constructed or installed and the applicant's plan for right-of-way construction.
 - ii. Engineering plans provided on a drawing scale not smaller than one inch equals one hundred (100) feet unless otherwise approved by city manager.
 - iii. Description of all existing public and private utilities in close proximity to applicant's proposed route.
 - iv. Description of the applicant's proposed installation, such as pipe size, number of interducts, valves, etc.
 - v. Description of plans to remove and replace pavement or drainage works in streets. Plans submitted must conform to City of Jersey Village standard construction requirements.
 - vi. Drawings of any bores, trenches, handholes, manholes, switch gear, transformers, pedestals, etc. including depth.
 - vii. Manholes of the type applicant plans to use or access.
 - viii. Complete legend of drawings submitted by applicant, which may be provided by reference to previously submitted documents.
 - ix. Three sets of engineering plans must be submitted with permit application.
 - x. The construction and installation methods to be employed for the protection of existing structures, fixtures, and facilities within or adjacent to the right-of-way, and the estimated dates and times work will occur, all of which (methods, dates, times, etc.) are subject to approval of the city manager or his/her designee; and
 - xi. Proof of insurance or net worth as required.
- (2) *Access to site.* All construction and installation in the right-of-way shall be in accordance with the permit for the facilities. The city manager or his/her designee shall be provided access to the work and to such further information as may reasonably be required to ensure compliance with the permit.
- (3) *Plans at site.* A copy of the construction permit and approved engineering plans shall be maintained at the construction site and made available for inspection by the city manager or his/her designee at all times when construction or installation work is occurring.
- (4) *Timeliness.* All construction or installation work authorized by permit must be completed in the time specified in the construction permit. If the work cannot be completed in the specified time periods, the permittee may request an extension from the city manager or his/her designee.
- (5) *Insurance and bonds.*

- i. An applicant must provide proof of liability insurance in the amount of \$1,000,000.00, as approved by the city manager or his/her designee. Such requirements may be waived by the city manager or his/her designee, if the applicant provides acceptable evidence of self-insurance backed by assets equal to but not less than a net worth in the amount of at least \$5,000,000.00 as approved by the city manager or his/her designee and the director of financial services or his/her designee.
 - ii. The coverage provided shall be on an "occurrence" basis and shall include coverage for personal injury, contractual liability, premises liability, medical damages, underground, explosion, and collapse hazards.
 - iii. Each policy must include a cancellation provision in which the insurance company is required to notify the city in writing not fewer than 30 days before canceling, failing to renew, or reducing policy limits.
 - iv. The applicant shall file the required original certificate of insurance prior to any commencement of work. The certificate shall state the policy number; name of the insurance company; name and address of the agent or authorized representative of the insurance company; name, address and telephone number of insured; policy expiration date; and specific coverage amounts.
 - v. Applicant shall file a surety bond from a surety company authorized to do business in the State of Texas in the amount of \$15,000.00 to guarantee the restoration of the right-of-way in the event the applicant leaves a job site in the right-of-way unfinished, incomplete, or unsafe. Such requirement for a surety bond may be waived by the city manager or his/her designee upon a showing of financial responsibility by the applicant.
- (6) *Approval.* Unless otherwise provided by this chapter, requests for permits shall be approved or disapproved by the city manager or his/her designee within a reasonable time of receiving all the necessary information. The city manager or his/her designee shall use his/her best efforts to approve or disapprove a request for permit as soon as possible.
 - (7) *Pre-construction meeting.* The city manager or user may request a pre-construction meeting.
 - (c) *Exception to construction permit and registration requirement.* The following activities shall not be required to obtain a permit under this chapter.
 - (1) *Emergencies.* Emergency responses related to existing facilities may be undertaken without first obtaining a permit; however, the city manager must be notified in writing within two business days of any construction related to an emergency response. A reasonably detailed description of the work performed in the right-of-way and an updated map of any facilities moved shall be provided as soon as practicable.
 - (2) *Routine maintenance.* Except as specifically provided otherwise by this chapter, the installation of structures necessary to initiate utility, water, wastewater or other service to a customer's property or the repair or maintenance of existing structures, unless such repair or maintenance requires the breaking of pavement, excavation in the right-of-way, or the closure of a public traffic lane for greater than two (2) hours, are not required to obtain a permit under this chapter.

(Ord. No. 2017-32, § II, 8-21-17)

Sec. 58-73. - Construction standards.

- (a) *Advance notice required.* The city manager shall be notified 24 hours in advance that construction is ready to proceed by either the right-of-way user, their contractor or

representative, including the name, address, and phone numbers of the contractor performing the actual construction, and the name and telephone number of the individual who will be available at all times during construction. Failure to provide the above information will result in the suspension of the permit until the required information is received.

- (b) *Conformance to other laws.* All construction shall be in conformance with all city codes and applicable local, state, and federal laws.
- (c) *Erosion control.* Erosion control measures (i.e., silt fence) and advance warning signs, markers, cones, and barricades must be in place before work begins. Permit holder may be required to show proof of EPA approved plans relating to storm water and erosion when applicable or a letter stating such plans are not required. User shall comply with city, state, and federal guidelines regulating storm water management erosion control. Requirements shall include, but not be limited to, silt fencing around any excavation that will be left overnight, silt fencing in erosion areas until reasonable vegetation is established, barricade fencing around open holes, and high erosion areas will require wire backed silt fencing, or straw bales, as appropriate.
- (d) *Lane closures.* Lane closures on collectors and thoroughfares, as identified by the city's thoroughfare plan, is limited to after 8:30 a.m. and before 4:00 p.m. unless the city manager grants prior approval. Arrow boards will be required on lane closures, with all barricades, advanced warning signs and thirty-six-inch reflector cones placed according to the specifications of the city manager.
- (e) *Workmanship.* Users are responsible for the workmanship and any damages caused by a contractor or subcontractor. A responsible representative of the permit holder will be available to city manager at all times during construction.
- (f) *Notice of damage.* All users shall notify the city manager immediately of any damage to other utilities, either city or privately owned.
- (g) *Prior approval required for street or sidewalk cut.* Except in the event of an emergency, prior approval must be obtained from the city manager when a street or sidewalk cut is required and all requirements of the city shall be followed. Repair of all street and sidewalk removals shall be made promptly to avoid safety hazards to vehicle and pedestrian traffic.
- (h) *Interference prohibited.* Newly installed structures shall not interfere with facilities or structures of other users, in particular gravity dependent facilities.
- (i) *Depth.* Structures shall be installed at a minimum of two (2) feet depth, unless approved by the city manager or as otherwise provided by this chapter.
- (j) *Working hours.* Except in the event of an emergency, working hours in the rights-of-way are 7:00 a.m. to 7:00 p.m., Monday through Saturday. Work that needs to be performed after 7:00 p.m. Monday through Saturday must be approved in advance. Except in the event of an emergency, any work performed on Sunday must be approved 24 hours in advance by the city manager. Directional boring is permitted only Monday through Friday, unless approved in advance.

(Ord. No. 2017-32, § II, 8-21-17)

Sec. 58-77. - Restoration of property.

- (a) *Restoration of affected property required.* Users of the right-of-way shall restore property affected by construction in the right-of-way to a condition that is equal to or better than

the condition of the property prior to the performance of the work. This includes, but is not limited to, replacing all natural ground cover with an equal or better type of ground cover damaged during work, either by sodding or seeding, as directed by city manager.

- (b) *Restoration requirements.* Restoration shall be to the reasonable satisfaction of the city manager. The restoration shall include, but not be limited to:
 - (1) Installation of all manholes and handholes, as required;
 - (2) All bore pits, potholes, trenches, or any other holes shall be covered or barricaded daily;
 - (3) Leveling of all trenches and backhoe lines;
 - (4) Restoration of excavation site to city specifications.
- (c) *Locator flags.* All locator flags shall be removed during the cleanup process by the permit holder or his/her contractor at the completion of the work.

(Ord. No. 2017-32, § II, 8-21-17)

THE OWNER OF THE FACILITIES, CONTRACTOR AND SUBCONTRACTOR ACKNOWLEDGES BY THEIR SIGNATURES BELOW THAT THEY HAVE READ AND UNDERSTAND THE RIGHT-OF-WAY MANAGEMENT ORDINANCE, INCLUDING ALL INDEMNITY PROVISIONS, OR IF APPLICABLE ANY STATE LAW PROVISIONS, AND THEY ACKNOWLEDGE AND AGREE TO BE BOUND BY THOSE INDEMNITY PROVISIONS. THE OWNER OF FACILITIES ACKNOWLEDGES THAT IT IS RESPONSIBLE AND LIABLE FOR ITS AGENTS, CONTRACTORS, AND SUBCONTRACTORS. SUCH LIABILITY INCLUDES, BUT IS NOT LIMITED TO, REIMBURSEMENT FOR ALL DAMAGE TO CITY PROPERTY, AND REPAIR AND REPLACEMENT OF CITY PROPERTY TO THE SAME CONDITION IT WAS PRIOR TO THE CONSTRUCTION TO BE PERFORMED IN THE RIGHT-OF-WAY. SUCH REIMBURSEMENT MAY ALSO INCLUDE, IF APPLICABLE, ADDITIONAL COST TO THE CITY FOR CITY PERSONNEL RESPONDING TO EMERGENCY SITUATIONS WHERE ROAD BEDS, WATER OR SEWER LINES, OR OTHER UTILITY LINES HAVE BEEN DAMAGED AS A RESULT OF THE CONSTRUCTION WORK PERFORMED.

NO WORK MAY BEGIN UNTIL ALL LOCATES ARE MARKED

NOTIFICATION OF INTENT, TO ALL AFFECTED RESIDENTS IS REQUIRED BY SIGNAGE AND DOOR HANGERS BEFORE ANY SITE WORK MAY BE STARTED

TRENCHING AND EXCAVATION SAFETY SHALL COMPLY WITH OSHA REGULATIONS

I HAVE READ AND UNDERSTAND THE RIGHT-OF-WAY ORDINANCE AND STANDARDS FOR RIGHT-OF-WAY CONSTRUCTION

Signature of Contractor/Authorized Agent

Date

OFFICIAL USE ONLY

CONTRACTOR REGISTRATION GENERAL LIABILITY INSURANCE DIG LOCATE REQUEST

Permit Received By: _____

Time/Date Stamp: _____

Director of Public Works Approval: _____

Date Approved: _____