



Application Date: _____

Permit No.: _____

-- ROW PERMIT APPLICATION --

Directions: This application is a request for an Excavation or Facilities Maintenance Permit in the City ROW. All fees shall be paid in accordance with the City policies at the time of application submission. This application may not fully describe or coincide with all types of projects. If it is believed that certain questions are either not relevant or are inapplicable as a result of system design, law, or other reason, please indicate the specific basis for such belief as to your particular Application. **All defined words in City Code § 106-141 shall have the same meaning as set forth in § 106-141 when used in this application.**

Requesting Excavation Permit (y/n)?

Requesting Facilities Maintenance Permit (y/n)?

Information Concerning Applicant:				
Full Legal Name of Business: _____				
Address		City	State	Zip Code
()	_____	_____	_____	_____
Phone Number		Email Address		
_____		_____		
If Corporation/Legal Entity – Charter Number: _____			State of Incorporation: _____	
_____			_____	
Local Contact Person		Title		
()	_____	_____		
Phone Number		Email Address		
_____		_____		
Name of Contractor: _____				

Address		City	State	Zip Code
()	_____	_____	_____	_____
Phone Number		Email Address		
_____		_____		
Generally state the purpose, location of activity in ROW, and description of proposed Excavation or Facilities Maintenance:				

ROW Permit Application Submission Requirements

Applicant shall provide the following and check each box after completion:

- Copy of ROW Use Agreement between Applicant and the City or other authorization from the City, if any.
- Linear Feet in ROW:
 - _____ Total linear feet of Applicant’s Facilities currently in City Rights-of-Way.
 - _____ Total linear foot of Applicant’s Facilities in City Rights-of-Way after completion of project.
- Tree trimming and pruning planned: No ___ Yes ___ (If Yes, attach plan pursuant to Sec. 106-144.7)

For all Permits, the following information shall be submitted with this application.

- Traffic control plan consistent with MUTCD demonstrating the protective measures and devices proposed to minimize disruptions to efficient pedestrian and vehicular traffic.
- Location of temporary off-street parking (shall not be within the City Rights-of-Way).
- Surety or Bond – Amount to ensure completion of said project and restoration of City Rights-of-Way in accordance with Sec. 106-148 (in an amount determined by the City to be sufficient) or provide affidavit establishing exemption in compliance with Sec. 106-148.
- Proof of Insurance in compliance with Sec. 106-148 or affidavit establishing exemption per § 106-148.

If performing Excavation, three (3) copies of the following information shall also be submitted with this

application:

- Site plan including a map of all work to be done, showing proposed Underground Facilities to be installed, proposed material, proposed depth/grade, and all other requirements of City Code.
- Map of location & route of all proposed Facilities to be installed including relationship of all existing Facilities to existing streets, the number of road crossings, the number of entrance drive crossings, and the locations of existing ROW Facilities.
- List of construction methods for protection of existing structures, fixtures, and other Facilities along with erosion control.
- Estimated number of proposed Excavations and the size, length, width, and depth of such Excavations and length, size, type, and proposed depth of any conduits or any other enclosures.
- Sources of off-site fill material or spoil sites, and all information relative to haul routes, trucks, and equipment.
- The estimated schedule of operations, including the dates of starting and completion of ROW work.

Applicant agrees that any Permit issued is subject to the City Code, including, but not limited to, the provisions of Chapter 106, any Rights-of-Way Use Agreement, Franchise, or License between Applicant and City, the conditions herein, and including the General Conditions attached hereto.

Representation Concerning Authority & Compliance with Laws:

I am the Applicant or authorized by the Applicant to sign on his/her/its behalf ("Applicant") and have read this application in its entirety, and I hereby certify that the information contained herein and attached hereto is true, correct, and complete to the best of my knowledge, information, and belief. I have reviewed all conditions associated with this Permit application. I understand and agree to be subject to the terms and conditions of any Permit issued hereunder and the City Code. Applicant acknowledges that failure to truthfully complete this application or failure to comply with all laws may result in revocation of any Permit issued hereunder, among other consequences or penalties.

Signature of Principal Officer

Date

Print Name

For City Use Only

ROW Permit: Approved Conditionally Approved Disapproved

Comments/Special Conditions (below or attached):

Asst. Director

Date

Joplin Permit Number: _____

Date Issued: _____

Expiration Date: _____

GENERAL CONDITIONS

Applicant agrees to and shall be deemed to accept the following additional requirements as conditions of use of the ROW:

1. Applicant shall comply with, and its use shall be subject to, **all laws and regulations of the City of Joplin, including, but not limited to, all of the below General Conditions and other conditions contained in the Application for a ROW Permit, Chapter 106, and all other all laws relating to use of the Rights-of-Way, excavation, and traffic safety.** This Permit shall allow only the installation and use of the subject Facilities, and any further Excavation or disturbance of the Rights-of-Way shall require separate approval of the City. All work covered under this Permit is to be in accordance with the City of Joplin Standard Specifications for Construction, Missouri Standard Plans for Highway Construction, and The Manual on Uniform Traffic Control Devices (MUTCD current edition) where applicable.

2. The signing of this Permit binds the Applicant to the terms of this Permit. If signed by Applicant's contractor or that contractor's authorized representative, the contractor and any subcontractors will be held jointly responsible for all of the requirements of this Permit until it is released by the Director of Public Works or his/her authorized representative. Applicant agrees to keep a copy of the Permit and an approved plan on the job site.

3. **No Permittee may do any Excavation or Facilities Maintenance outside of the area specified in the plans or conduct any Excavation or Facilities Maintenance in excess of the plans approved in any Permit issued hereunder.**

4. All Facilities shall be subject to the additional restrictions and representations set forth in the Application for this Permit and shall be dependent upon the accuracy of the information therein provided by Applicant.

5. **Applicant acknowledges that no Franchise, License, or ROW Use Agreement is granted herein** and that, notwithstanding any claim to the contrary, this Permit shall be subject to termination and the Facilities authorized herein shall be subject to removal and/or relocation at the direction of the City at the Applicant's sole expense upon written notification of the City. **Nothing in this Permit shall be deemed to grant any property right, grant approval for use of property requiring consent by another property owner or other government, or be deemed to grant lawful access where all other lawful requirements have not been fully satisfied, including receiving a current, lawfully granted Franchise, License, or ROW Use Agreement where required.**

6. Applicant shall be solely responsible for and shall indemnify the City for all claims, actions, costs, or damages of any kind arising, directly or indirectly, in whole or in part, out of the fact that the City granted this Permit or the activities performed, or failed to be performed, by Applicant under this Permit, to the minimum extent required by Section 106-148 and the Applicant's ROW Use Agreement, License, or Franchise.

7. The City shall be contacted at least twenty-four (24) hours before Excavation or Facilities Maintenance begins.

8. If performing any Excavation, Applicant will contact Dig Rite prior to commencing any Excavation in the Rights-of-Way. (Missouri One Call 1-800-344-7483). In addition to the Dig Rite contact requirement, Missouri State Law, effective January 1, 2015, provides sewer and water system owners must install tracer wire and an access point within a protective enclosure in the Rights-of-Way for any newly installed or fully replaced Facilities. This does not apply to storm sewers, only sanitary sewers and new water service lines. This is not required on private property.

9. The Applicant will supply any other information required by the City at the time of submittal of the application or during City review of the same with respect to use of City Rights-of-Way.

10. Failure to comply with the Chapter 106 of the Joplin City Code may result in a summons for each day in violation.

11. Unless otherwise noted, all Permits **expire sixty (60) days from the date of issuance.**

12. No Permit shall be valid until signed by the Director of Public Works or his/her authorized designee.

13. No Excavation shall occur prior to obtaining all necessary permits from all agencies (US Army Corps of Engineers, MO Dept. of Natural Resources, etc., where applicable). Applicant is responsible for securing all necessary permits from other agencies before proceeding.

14. Applicant hereby represents that the business conducted by Applicant does not and will not violate any ordinance of the City of Joplin and now complies and will continue to comply fully with the laws of the State of Missouri and ordinances of the City.

15. The City makes no representation or verification as to the ownership of property and Applicant is solely responsible for the accuracy of all information relied on or provided.