

**PROVISIONS FOR PERMIT  
TO DIG IN THE CITY RIGHT-OF-WAY PROPERTY**

SECTION I

1. No person shall do work affecting the public right-of-way without first obtaining a permit.

SECTION II – BOND AND INSURANCE

1. Bond shall be filed in the amount of \$10,000.00
2. Filed evidence of insurance to hold City harmless against any and all claims - \$10,000.00 personal injury each person, \$300,000.00 personal injury each accident, and \$50,000.00 property damage.

SECTION III – PERMIT APPLICATION

1. Application shall be made with the City Superintendent.
2. Drawings and plans may be required to determine whether work conforms to code. Also, provide lineal distances in feet.
3. Permit fee - \$25.00 plus \$0.25 cents per lineal foot of excavation.
4. Permit expires upon date of completion of excavation.

SECTION IV – ROUTING OF TRAFFIC & TRAFFIC CONTROL PROCEDURES

1. Traffic shall be maintained at all times.
2. If a street must be closed for any length of time, permission must be obtained from the City Street Department and City Police Department.
3. The Chief of the Fire Department must be notified of any street or alley closures.
4. Where the Police Department deems flag persons necessary, they shall be furnished by the permittee at its own expense.
5. The permittee shall cause to be erected and distributed, and at all times maintained throughout excavation work, such barriers, lights, signs, flag persons and other safety devices as may be required by the Street Department and or the City Police Department, and in accordance with WISHA Standards.

SECTION V- BACKFILLING

1. The Utility agrees that when placing it facility within any portions of the roadbed, the trench shall be back-filled in horizontal layers not to exceed six inches in loose thickness, except that the layers of the top two feet from profile grade shall not exceed four inches in loose thickness. Each layer of the entire backfill shall be compacted to not less than 95 percent of the maximum density as determined by compaction control tests. No rocks or material in excess of 8" in diameter. The top 12" to consist of 6"-10" minimum of compacted 5/8" crushed gravel and 2" minimum Class "B" asphalt.

## SECTION VI – RESTORATION OF SURFACES

1. Six inch (6") minimum depth compacted gravel base two inches (2") minimum compacted Class "B" asphalt. The permittee shall restore the surface of all streets to their original condition in accordance to the APWA standard specifications for Municipal Public Works.
2. The permittee will be required to maintain in good condition for normal traffic use the surface over the street openings or until such time as the permanent surface has been restored.

## SECTION VII – MAINTAIN DRAWINGS, PLANS, AND PROFILES

1. Plans and profiles showing the locations and character of all underground structures, including abandoned installations, shall be made available to and for the use of the City.

## SECTION VIII – CITY'S RIGHT TO RESTORE SURFACE – PROCEDURE

1. If the permittee shall have failed to restore the surface of the streets and alleys to their original and proper condition upon the expiration of the time fixed by the permit, the City shall, if it deems advisable, have the right to do all work, or have work done to repair said surface to its original condition. The permittee shall be liable for the expense thereof.

## SECTION IX – PENALTIES

1. Any persons violating any of the provisions hereof, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not to exceed five hundred dollars (\$500.00). Each day in which the provisions of this chapter are violated shall be deemed to be a separate and severable offense and punishable by a maximum fine of three hundred dollars (\$300.00) for each separate offense.

**PERMIT APPLICATION  
TO DIG IN THE CITY RIGHT-OF-WAY PROPERTY**

DATE: \_\_\_\_\_ PERMIT FEE: \_\_\_\_\_ PERMIT NO. \_\_\_\_\_

NAME: \_\_\_\_\_ PHONE NO. \_\_\_\_\_

ADDRESS: \_\_\_\_\_

ADDRESS OF EXCAVATION: \_\_\_\_\_

LINEAL FEET TO BE DISTRIBUTED: \_\_\_\_\_ TIME OF EXCAVATION: \_\_\_\_\_

REASON FOR EXCAVATION: \_\_\_\_\_

DATE RESTORATION WILL BE COMPLETED: \_\_\_\_\_

NAME AND ADDRESS OF CONTRACTOR WHO WILL RESTORE THE ASPHALT OR  
CONCRETE SURFACE: \_\_\_\_\_

YES \_\_\_ NO \_\_\_ Are bonding and insurance requirements current and on file with the City?

YES \_\_\_ NO \_\_\_ Will any traveled part of the street or sidewalk be disturbed?

YES \_\_\_ NO \_\_\_ Will traffic flow be altered or halted at any time?

I have read and understand the handout entitled "Provisions for Permit" which explains in detail, the requirements necessary to do work on City property. I hereby covenant and promise to exchange for being able to open, cut, disturb or excavate the City streets, curbs, alleys, sidewalks, or other City property that I will restore any surface, disturbed or removed, to its original condition with like materials in the same quantity and quality as the original, and to keep said new surface in good repair for a period of THREE YEARS. I further agree to hold the City of Dayton harmless for any damage done to any person or property by reason of any opening, cutting, disturbing, or excavation of the streets, curbs, alleys, sidewalks, or other City property of the City of Dayton.

SIGNATURE OF PERMIT APPLICANT: \_\_\_\_\_

DATE: \_\_\_\_\_ PERMIT APPROVED: \_\_\_ YES \_\_\_ NO

STREET SUPERINTENDENT OR AUTHORIZED OFFICIAL: \_\_\_\_\_