



Department of Building, Zoning & Housing
 26789 Highland Road
 Richmond Heights, Ohio 44143-1429
 216-383-6312 Fax: 216-383-6319

RIGHT OF WAY PERMIT APPLICATION

City Engineer: Lee Courtney: 440-449-4005
 lcourtney@cwcourtney.com

Applicant Information

Name:	Address:	Phone:	
Email:	City:	State:	Zip:
Contractor Name & Title:	Contractor Email:		
Contractor License#	Certificate of Registration#		

A City of Richmond Heights Contractor's License and Certificate of Registration is Required to Conduct, Carry On, or Engage in Work Within the City Right of Way. (Codified Ordinance 1335.01)

Utility Type	Construction Type	Check All That Apply	
Sanitary	Overhead	<input type="checkbox"/>	<input type="checkbox"/>
Storm	Underground	<input type="checkbox"/>	<input type="checkbox"/>
Water	Open Cut	<input type="checkbox"/>	<input type="checkbox"/>
Gas	Direct Bury	<input type="checkbox"/>	<input type="checkbox"/>
Electric	Conduit	<input type="checkbox"/>	<input type="checkbox"/>
Communication	Bore	<input type="checkbox"/>	<input type="checkbox"/>
Other	Directional Drill	<input type="checkbox"/>	<input type="checkbox"/>

Project Information

Address of Work:				
Reason for Work:				
Description of Work:				
Exhibit (s) Attached			Yes	No
Application Date:	Start Date	End Date		
City Engineer Project #	Proponent Job #			
Will this work require the closure of one or more lanes of traffic? If YES, attach Maintenance of Traffic (MOT) plans			Yes	No

Will this work require the closure of one or more sidewalks or paths?		Yes	No
Utility Owner:		Yes	No
Contact Person	Email	Phone	

Sub-Contractor List

Name:		Address:		Phone:	
Email:	City:		State:		Zip:
Contractor Name & Title:			Contractor Email:		
Contractor License#			Certificate of Registration#		
Name:		Address:		Phone:	
Email:	City:		State:		Zip:
Contractor Name & Title:			Contractor Email:		
Contractor License#			Certificate of Registration#		

Prior to commencement of work, if Sub-contractor is unknown then Sub-contractor shall be registered with the City of Richmond Heights Building Department.

Excavation Information

Estimated Dimensions of Excavation (length, width, and depth)				
Excavation to be within:	Asphalt Pavement	Concrete Pavement	Brick Pavement	
	Tree Lawn	Sidewalk	Other	

Inspection

Restoration of Improvements: Upon completion of any Construction work, the Service Provider shall promptly repair any and all Rights-of-Way, property improvements, fixtures, structures, and Facilities which were damaged during the course of Construction and restore them as nearly as practicable to their prior condition. **(Codified Ordinance Section 901.08 k)**

Landscape Restoration: All trees, landscaping and grounds removed, damaged, or disturbed as a result of the Construction, Reconstruction, installation, maintenance, repair, or replacement of Facilities must be replaced or restored as nearly as may be practicable, to the condition existing prior to performance of work, except to the extent that tree trimming is necessary to prevent the interference of tree branches with Overhead Facilities. **(Codified Ordinance Section 901.08 l).**

Applicant agrees to follow all requirements in **Chapter 901** of the City of Richmond Heights's Codified Ordinance.

Prior to commencement of work or to schedule an inspection, the Applicant (or representative) shall notify the City Engineer at (440-449-4005) (24 hours) in advance

Applicant Signature:

Date:

Additional information regarding The City of Richmond Heights Code requirements concerning Right of Way improvements is in Section 901 of the Codified Ordinances of The City of Richmond Heights.

Plan Submittal

1. Complete the Civil Plan Review and Permitting Application attached pages 8 and 9.
2. Provide three (3) full size paper copies and one electronic copy (**IN PDF FORMAT**) of all construction documents, including all relevant reports; **SIGNED AND SEALED** by an Ohio Professional Engineer to:

C.W. Courtney Company

700 Beta Drive, Suite 200

Mayfield Village, Ohio 44143

lcourtney@cwcourtney.com

3. Provide one electronic copy (**IN PDF FORMAT**) of all reports; **SIGNED AND SEALED** by an Ohio Professional Engineer to the City of Richmond Heights Building Commissioner, James Urankar at building.commissioner@richmondheightsohio.org.

OFFICE USE ONLY

Insurance, Bond, and Indemnification

*Service Provider Insurance: As a condition of the consent to Occupy or Use the Right-of-Way, a Service Provider must secure and maintain, at a minimum, the following liability insurance policies insuring the Service Provider and naming the City, its elected and appointed officers, officials, agents, employees, and representatives as additional insureds:
See Page of this document for further information per (Section 901.04) of the Codified Ordinances of the City of Richmond Heights.*

Bond Received:

Self-Insured:

Professional Service Fees Due:

Applicant agrees that Professional Fees shall be charged for all City Engineer plan reviews and inspections per (Section 1325.12) of the Codified Ordinances of the City of Richmond Heights.

Deposit Fees:

Minimum \$2,500.00

Received (stamp): TOTAL FEES DUE: _____ TOTAL FEES PAID: _____

Approval

Conditions of Approval:

Prior to commencement of construction a pre-construction meeting shall be held with the City of Richmond Heights, City Engineer.

Permit#

Approved By:

Date:

Applicant must contact the Ohio Utility Protection Services (OUPS) at 1-800-362-2764 minimum of 48 hours prior to construction.



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Civil Engineering Plan Review and Permitting Application

Request

Form201:

Description of Request:

Project Valuation:

Property Information:

Property Address (If Known):

Business Name:

Property Location:

Parcel Number: Lot Number:

Subdivision Name: MCR:

Property Owner Information:

Name:

Address:

City: State: Zip

Phone: Alternate: E-mail:

Check here if proposed construction will be owner/builder (Residential projects only)

Property Owner and Applicant Authorization:

The owner or authorized agent for the owner of the subject lot or parcel guarantees the information and plans provided are correct to the best of their knowledge including recorded lot dimensions and structure locations.

Owner/Agent Printed Name Date Owner/Agent Signature Date

Internal Use Only

Received By: Date:

Permit Number(s): Application Number(s):



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Engineering Submittal Check List

Submittal of Civil Plans for 1st Review

Form 202:

_____ Completed and signed application (Form 201 and 202)

_____ Three (3) paper copies and one electronic copy (IN PDF Format) of all reports; signed and sealed by an Ohio Professional Engineer lcourtney@cwcourtney.com.

_____ In addition to any other fees or deposits required by sections 1325.021 and other sections of the Codified Ordinances, the Building Commissioner shall charge, and the Director of Finance shall collect a deposit in the amount of two percent (2%) of the City Engineer's estimate of cost of the construction, the subject of the building permit or other application, but not less than one thousand (\$1,000) unless otherwise approved but the City Engineer. **Please review 1325.021 Cash Deposit for Additional Professional Services Fees.**

_____ Make all checks payable to the City of Richmond Heights and mail to Department of Building, Zoning, & Housing at 26789 Highland Road, Richmond Heights, Ohio 44143-1429

_____ Amount of Check _____ Check Number _____

LIST SUBMITTAL TYPE(S) Included in This Application:

OFFICE USE ONLY:

Received By: _____ Date: _____

901.04 INSURANCE, BOND, AND INDEMNIFICATION.

(a) Service Provider Insurance. As a condition of the consent to Occupy or Use the Right-of-Way, a Service Provider must secure and maintain, at a minimum, the following liability insurance policies insuring the Service Provider and naming the City, its elected and appointed officers, officials, agents, employees, and representatives as additional insureds:

- (1) Comprehensive general liability insurance with limits not less than
 - A. Five million dollars (\$5,000,000) for bodily injury or death to each Person;
 - B. Five million dollars (\$5,000,000) for property damage resulting from any one accident; and
 - C. Five million dollars (\$5,000,000) for all other types of liability.
- (2) Automobile liability for owned, non-owned and hired vehicles with a limit of three million dollars (\$3,000,000) for each Person and three million dollars (\$3,000,000) for each accident.
- (3) Worker's compensation within statutory limits and employer's liability insurance with limits of not less than one million dollars (\$1,000,000).
- (4) Comprehensive form premises-operations, explosions and collapse hazard, underground hazard and products completed hazard with limits of not less than three million dollars (\$3,000,000).
- (5) The liability insurance policies required by this Section shall be maintained by the Service Provider throughout the period of time during which the Service Provider is Occupying or Using the Right-of-Way or is engaged in the removal of its Facilities. Each such insurance policy shall contain the following endorsement:

“It is hereby understood and agreed that this policy may not be canceled nor the intention not to renew be stated until sixty (60) days after receipt by the City, by registered mail, of a written notice addressed to the City Engineer of such intent to cancel or not to renew.”

- (6) Within sixty (60) days after receipt by the City of said notice, and in no event later than thirty (30) days prior to said cancellation, the Service Provider shall obtain and furnish to the City replacement insurance policies meeting the requirements of this Section.
- (7) Upon written application to, and written approval by, the City Engineer, a Service Provider may be self-insured to provide all of the same coverages as listed in this Section; except that all coverages for Workers' Compensation shall be in compliance with State law. No approval for self- insurance shall be given until the City Engineer has made a complete review of the Service Provider's financial ability to provide such self-insurance. As part of the review process, the City Engineer may require, and the self- insurance applicant shall provide, any and all financial documents necessary to make a valid determination of the applicant's ability to meet the needs of this Chapter.

(b) General Indemnification. Each application for consent to Occupy or Use the Right-of-Way, and each annual registration, shall include, to the extent permitted by law, the Service Provider's express undertaking to defend, indemnify and hold the City and its elected and appointed officers, officials, employees, agents, representatives and subcontractors harmless from and against any third party claims (including all damages, losses and expenses, reasonable attorney's fees and costs of suit or defense, arising out of, resulting from or alleged to arise out of or result from the negligent, careless or wrongful acts, omissions, failures to act or misconduct of the Service Provider or its Affiliates, officers, employees, agents, contractors or subcontractors relating to the Service Provider's Occupancy or Use of the Right-of-Way, whether such acts or omissions are authorized, allowed or prohibited by this Chapter. A Service Provider, however, will have no obligation to defend, indemnify or hold the city and its elected and appointed officers, officials, employees, agents, representatives, and subcontractors harmless from their own negligence.

(c) Performance Bond. As a condition of consent to Occupy or Use the Right-of-Way, and to ensure the full and complete compliance with, and performance under this Chapter, including any costs, expenses, damages or loss the City pays or incurs because of any failure attributable to the Service Provider to comply with the codes, ordinances, rules, regulations or permits of the City, each Service Provider shall, in the amount of fifty thousand dollars (\$50,000), or such lesser amount as the City Engineer may determine to be necessary, (i) provide an unconditional letter of credit, or other instrument acceptable to the City, or (ii) furnish and file with the City a Performance Bond running to the City in the required amount from a company licensed to do business in the State of Ohio; which performance bond or letter of credit or other instrument shall be maintained at the sole expense of the Service Provider so long as any of the Service Provider's Facilities are located within the City's Right-of-Way.

(1) Before claims are made against the Performance Bond or letter of credit or other instrument, the City shall give written notice to the Service Provider:

A. Describing the act, default or failure to be remedied, or the damages, cost or expenses which the City has incurred by reason of the Service Provider's act or default;

B. Providing a reasonable opportunity for the Service Provider to remedy the existing or ongoing default or failure, if applicable;

C. Providing a reasonable opportunity for the Service Provider to pay any monies due the City before the City makes a claim against the Performance Bond or letter of credit or other instrument;

D. That the Service Provider will be given an opportunity to review the act, default or failure described in the notice with the City Engineer.

(2) Service Providers shall maintain the full value of the Performance Bond or letter of credit or other instrument regardless of claims against the Performance Bond or letter of credit or other instrument made by, or paid to, the City.

(3) Any draw upon the Performance Bond or letter of credit to recover the City's costs related to a Service Provider's use of the Right-of-Way shall be considered Public Way Fees as that term is defined in this Chapter and Chapter 4939 of the Ohio Revised Code and shall be assessed by the City Engineer in accordance with Chapter 4939 and any other applicable law.

(Ord. 89-2007. Passed 11-13-07.)

901.09 RECOVERY OF CITY COSTS OF MANAGING THE RIGHT-OF-WAY.

(a) Purpose. The purpose of this Section [901.09](#) is to provide for the recovery of all direct and indirect costs and expenses actually incurred by the City and associated with a Service Provider's Occupancy or Use of the Right-of-Way and related to the enforcement and administration of this Chapter.

(b) Recovery of Costs. Any City costs related to a Service Provider's Occupancy or Use of the Right-of-Way and recovered pursuant to this Chapter shall be considered Public Way Fees as that term is defined in this Chapter and Chapter 4939 of the Ohio Revised Code. Public Way Fees shall be assessed by the City Engineer in a manner that is in accordance with Chapter 4939 of the Ohio Revised Code and any other applicable law.

(1) City costs related to a Service Providers' Occupancy or Use of the Right-of- Way which may be recovered include, but are not limited to, administrative costs associated with applications for consent to Occupy or Use the Right- of-Way, initial and annual registration and issuance and enforcement of construction permits.

(2) City costs related to a Service Provider's use of the Right-of-Way and recovered pursuant to this Chapter from the Performance Bond, letter of credit and/or Construction Bond shall be considered Public Way Fees and shall be assessed by the City Engineer in accordance with Chapter 4939 and any other applicable law.

(c) Regulatory Fees and Compensation Not a Tax. The regulatory fees and costs provided for in this Chapter are separate from, and additional to, any and all federal, State, local and City taxes as may be levied, imposed or due from a Service Provider, its customers, or subscribers, or on account of the lease, sale, delivery or transmission of Services.

(Ord. 89-2007. Passed 11-13-07.)

1325.12 CASH DEPOSIT FOR ADDITIONAL PROFESSIONAL SERVICES.

(a) In addition to any other fees or deposits required by other sections of these Codified Ordinances, the Commissioner of Building, Zoning and Housing shall charge and the Director of Finance shall collect a deposit in the amount of two percent (2%) of the City Engineer's estimate of the cost of the construction which is the subject of the building permit or other application but not less than one thousand dollars (\$1,000) unless the City Engineer approves, in their sole discretion, a lesser amount, to reimburse the City for expenses incurred for additional or supplemental engineering, legal, landscape architecture, or other professional services rendered as a result of the application for a building permit, the review of preliminary and final site development plans, land subdivisions, miscellaneous lot splits and consolidations, and/or rezoning applications.

(b) Charges for the professional services of the City Engineer, Director of Law, planning consultants, Landscape Architect, or their designees shall be at the rates set forth in their contracts or ordinances with the City.

(c) In the event that the monies deposited by an applicant as required in subsection (a) hereof are not sufficient to reimburse the City as provided in subsection (a), then the applicant shall be required to deposit additional monies in series of one thousand dollars (\$1,000) as requested by the City, up to the total amount for said reimbursement.

(d) Any sums not so charged against such deposit as required in subsections (a) and (b) hereof shall be refunded to the applicant no later than sixty days from the completion of the construction, the granting or refusal of the permit, the approval of the preliminary and final site development plans, subdivision or lot split or consolidation, or the granting or refusal of the rezoning application.

(e) In addition to all other remedies provided by these Codified Ordinances or by law, the City may issue a stop work order or rescind any permits or approvals for violations of this section.