

**CITY OF BURLINGTON, IOWA
APPLICATION FOR APPROVAL OF CONSTRUCTION
ON CITY RIGHT-OF-WAY (ROW)**

Permit Number: _____

SPECIAL NOTE: This application becomes the permit to perform the work requested when signed by the Public Works Director or his designee **AND MUST BE READILY AVAILABLE FOR INSPECTION AT THE CONSTRUCTION SITE AT ALL TIMES DURING THE CONSTRUCTION PERIOD.**

APPLICANT

CONTRACTOR (if different from Applicant)

NAME

NAME

ADDRESS

ADDRESS

CITY/STATE

PHONE

CITY/STATE

PHONE

EMAIL

EMAIL

PROPOSED WORK

ADDRESS/LOCATION: _____

TYPE OF WORK TO BE DONE: _____

Will Parking in Downtown be blocked off? See Fee Determination sheet _____ NO _____ YES

START DATE: _____ ENDING DATE: _____

Applicant/contractor must include a map showing general road location as a cross section of the right-of-way detailing the proposed work if requested by the City.

By signing, applicant acknowledges and agrees to comply with the stipulations and conditions on the reverse side of this form and all attachments to this form.

Applicant Signature _____ Date _____

Public Works Director or designee _____ Date _____

cc: Nick MacGregor, Public Works Director
 Chris Clements, Operations Manager
 Jesse Howe, City Engineer
 Scott Peters, Civil Engineer

PERMIT STIPULATIONS

1. **General:** The applicant shall take all reasonable precautions, during the work period, to protect and safeguard the lives and property of the general public and adjacent property owners, including City and/or Utilities property and systems above and below the ground, and shall save and hold harmless the City of Burlington for any damage or losses that may be sustained by the general public, adjacent property owners or Utilities during the work operations. Any expense to the City as a result of damage caused by applicant, or agents of the applicant, during the work operations, or for failure to perform in accordance with the stipulations of this permit shall be reimbursed by said applicant to the City.
2. The applicant or applicant's contractor shall post with the City a penal bond in the minimum sum of five thousand dollars (\$5,000.00) issued by a surety company authorized to issue such bonds in the State. The bond shall guarantee the permittee's payment for any damage done to the City or to public property, and payment of all costs incurred by the City in the course of administration of this section. In lieu of a surety bond, a cash deposit of five thousand dollars (\$5,000.00) may be filed with the City. The bond requirement for applicants performing their own work may be waived at the discretion of the Public Works Director. Each contractor shall also provide a certificate of insurance indicating that the contractor is carrying public liability insurance in effect for the duration of the permit covering the contractor and all agents and employees; in accordance with Chapter 136.05 of the City Code of Burlington, Iowa.
3. **Notice of Work:** Except in emergencies, applicant agrees to give the City forty-eight (48) hours notice before beginning any work, and to obtain the required LOCATES, in accordance with law. (ONE CALL 1-800-292-8989)
4. **Traffic Control and Sidewalk Closure:** Must be in substantial conformance with the *MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD)*, www.mutcd.fhwa.dot.gov at all times during the work operations. Operations shall be carried out in such a fashion as to cause the least disruption to traffic as possible. **For closure of sidewalk traffic cones and tape, saw horses and like methods will not suffice for adequate secure closure.** A plan for closure must be approved before work begins. Road/lane closures shall be made **ONLY** when absolutely necessary to safeguard the public and/or workforce, and shall include advanced warning signs at both ends of the closed roadway, IE: 'Road Closed Ahead'. **Failure to adhere to the guidelines of the MUTCD will result in the shutdown of construction and work activities at the site, and/or legal action taken against the applicant or responsible party on site. Repeated violations by an applicant will be grounds for denial of future permits.**
5. **Curb Ramps:** Federal Regulations require the construction of curb ramps where public sidewalks intersect with the edge of the roadway to comply with the Americans with Disabilities Act (ADA). They further require that the ramp be constructed with truncated dome panels. Installation not meeting ADA requirements will require removal and reconstruction at contractors/property owners cost. If requested, the City will check formwork 24 hours prior to placement of concrete. Please contact the City Engineer or SUDAS for detailed specifications.
6. **Scaffolding Use:** any work performed on the City ROW that requires scaffolding work, including disposal chutes, more than 10 feet above a lower level shall be in compliance with the Code of Federal Regulations Part 1926, subpart L. **All scaffolding permits shall also be reviewed by the City of Burlington's Fire Marshall.** "A Guide to Scaffold Use in the Construction Industry", OSHA 3150, is provided on the City of Burlington's Engineering website.
7. **City Trees:** in accordance with Chapters 151 of the City Code of Burlington, the City Forester shall be notified forty-eight (48) hours before any work is done within ten (10) feet of any trees within City right-of-way (ROW). Call 753-8140 during normal business hours. All trees on public ROW near any excavation or construction work shall be guarded with a substantial fence, frame, or box not less than four (4) feet high and eight (8) feet square, or a barrier a distance in feet from the tree equal to the diameter of the trunk in inches, whichever is greater, and all building material, dirt, or other debris shall be kept outside the barrier.
8. **Trash Dumpsters and Stationary Equipment:** No dumpster or any other non-registered, non-self propelled equipment shall be placed and allowed to remain standing upon any public property, without the owner of said dumpsters and other equipment first obtaining from the Clerk a permit which indicates the dates for which the permit is valid. Said permit shall be affixed to the dumpster or any other non-registered, non-self propelled equipment in a conspicuous location. All equipment shall display a red light or reflective device which allows the equipment to be plainly visible from a distance of two hundred (200) feet in all directions, and shall not be parked within twenty-five (25) feet of any street intersection.
9. **Completion of Work:** Roadway and ROW shall be repaired and replaced to original condition after work is completed. Abnormal or poor conditions **MUST BE BROUGHT TO THE ATTENTION OF CITY OFFICIALS BEFORE WORK IS STARTED.** Guidelines and specifications for the restoration of City ROW, Sidewalks, Driveways, and backfilling of excavations in or adjacent to the traveled portion of the ROW, are summarized on the City of Burlington's [Engineering Website](http://www.burlingtoniowa.org/EngineeringWebsite), or a full set of SUDAS standards/specifications is available at www.iowasudas.org, or for review during normal business hours at the office of the City Engineer at the Burlington Public Works Facility located at 3510 Division Street, in Burlington.

Damage to private property, whether accidental or necessary **MUST BE REPAIRED AND THE PROPERTY RESTORED TO ORIGINAL CONDITION.** Applicants are strongly advised to photograph, for future reference, any conditions present before work operations begin which might be disputed when work has been completed.

10. **City's Rights:** The City of Burlington, Public Works Department, reserves the right to add to, or delete from, these stipulations any item or stipulation which may be considered to be in the best interest of the City. Failure to repair and replace the ROW to original condition after work is completed will result in the City exercising its duty to hire a local private contractor to perform the necessary repairs to bring the ROW up to good operating condition. Costs of the repair will be recovered from the property owner or contractor, in accordance with Chapter 163.04 of the City Code of Burlington, Iowa. Failure to obtain the required ROW permit shall, upon conviction, be subject to a fine of not more than five hundred dollars (\$500.00) or imprisonment not to exceed thirty (30) days; in accordance with Chapter 1.14 of the City Code of Burlington, Iowa.

Fee Determination for Closing Parking in Downtown



Work requiring closing of parking spaces within the Downtown area with a 2 or 4 hour time limit or other posted time limit will require fees to close for longer than the allotted time limit. Streets affected are shown as Downtown Public Parking on the above map. A map of the required parking spaces will be provided with the permit. Fees assessed will be determined by the following fee structure:

- \$10 per space per day**
- \$30 per space per week**
- \$75 per space per month**

Number of spaces _____ Per day / week / month x Fee per space _____

Total fee _____