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RIGHT-OF-WAY USE PERMIT APPLICATION
PORTAGE COUNTY, OHIO – rev. 11/2019

Permit Issue Date: _____ Permit Expiration Date: _____ Fee Paid: _____ **Permit No.:** _____

Application, plans, and \$25 permit fee (cash or check payable to Portage County Engineer) must be submitted to: Portage County Engineer, 5000 Newton Falls Road, Ravenna, Ohio 44266; ATTN: Thomas Lindsay, **at least** fifteen (15) working days prior to construction for major projects (new utility lines, extensions, etc.) and seven (7) working days for utility service tie-ins and septic discharges. A Maintenance of Traffic Plan that conforms to ODOT’s Manual of Uniform Traffic Control Devices (MUTCD) must also be submitted if Applicant’s work will impact traffic. The execution of this document is subject to and without waiver of any rights conferred by tariff, the common law and general laws of Ohio, and any interest in both real and personal property, including all utility facilities, to any Public Utilities Commission of Ohio (P.U.C.O.) regulated utility.

Applicant: _____ Contractor: _____

Address: _____ Address: _____

24 Hour Phone: _____ 24 Hour Phone: _____

E-Mail: _____

Location: Township: _____ House No.: _____ Road Name & Number: _____

Type of R/W Use: _____

Work will commence on or about: _____ and be completed on or about: _____

Comments: _____

ACCEPTANCE OF THIS PERMIT CONSTITUTES AN AGREEMENT TO COMPLY WITH THE FOLLOWING EIGHTEEN (18) PROVISIONS WHICH ARE BINDING ON ALL SUCCESSORS, ASSIGNS BENEFICIARIES:

1. Attach drawings of the proposed work. Show plan, profile, cross section, pavement, pipes, bridges, etc.
2. Underground lines, etc. shall be no less than 30" deep, **located behind the back side of the ditch line** and have permanent markers at the R/W line, angle points and every 200 feet within the R/W. Road crossing shall be no less than 3' below the back side of the ditch or curb. Telephone pedestals require an 8' post with a 9X15 object marker showing their location on the R/W. Utility poles shall be no less than 10' from the edge of the roadway pavement.
3. The County Engineer's Office shall be notified two working days before any work is started within the R/W, contact Thomas Lindsay at 330-298-3018, tlindsay@portageco.com or Tony Guillot at 330-298-3937, tguillot@portageco.com
4. Any expense incurred by the County due to the applicant's use of the R/W will be paid by the applicant.
5. All disturbed areas shall be promptly restored to the original condition.
6. **THE CUTTING OF PAVEMENT IS NOT PERMITTED EXCEPT WHEN SPECIFICALLY AUTHORIZED BY GRANTING AUTHORITY.**
7. The use of the pavement lane or berm for deposit of excavated materials will not be permitted.
8. This permit is valid for this installation only and only within the right-of-way of this public road.
9. The permit holder and permit holder's contractors shall abide by the MUTCD safety regulations and all OSHA standards.
10. The permit holder will be required to make any necessary repairs or relocate facilities within or over the existing Right-of-way promptly at permit holder's expense to accommodate any improvement or repairs undertaken by the County, including new or relocated County water and sewer lines.
11. A permit will be required for installations constructed on private property which must cross over or under the road right-of-way.
12. The permit holder and permit holder's contractor shall be responsible for calling the **Ohio Utilities Protection Service (OUPS) 48 hours** prior to construction.
13. Permit holder shall be responsible for and save the County harmless from all damages and claims to persons or property due to or resulting from any work performed under this permit and shall defend any action brought due to this work.
14. The permit holder shall save the County harmless from all damages to permit holders property that is not installed according to the conditions of this permit.
15. Permit holder shall be responsible for any pavement and berm failure or trench settlement occurring within twelve months of completion of the project, if determined to have resulted from operations within the right-of-way.
16. During construction and / or maintenance of overhead lines and poles the permit holder shall trim any and all tree limbs as requested by the County.
17. The right reserved, during the time any or all the work is being performed, to appoint an inspector over the work who shall represent the interests of the County Engineer on the work, and any compensation arranged for shall be paid wholly by the permit holder. This permit may at any time, be revoked and annulled by the Portage County Engineer at any time for non-performance of or non-compliance with any of the said conditions, restrictions and regulations hereof.
18. For **NPDES** permits, You, Landowner/Applicant, own the proposed work and project. The County assumes no responsibility for permit holder's septic failure, backup or potential nuisance caused by your septic system's discharge downstream.

I hereby agree to abide by the conditions stated herein during the construction and maintenance of this permit.

Signature: _____ Date: _____

Accepted by: _____ Date: _____
For Michael A. Marozzi, P.E., P.S., Portage County Engineer