



FOR OFFICIAL USE ONLY:
 Application No.: PROW ____-_____
 Date: _____

RIGHT-OF-WAY/EASEMENT PERMIT APPLICATION

City of Novi Public Works Department
 Engineering Division
 26300 Lee BeGole Drive, Novi, MI 48375
cityofnovi.org

Section 31-1 City of Novi Code of Ordinances

Complete this application to construct, operate, use and/or maintain within the right-of-way and easements; or to close a City street. **Read Carefully and Fill Out Completely:**

Applicant Information:

Applicant (Property Owner, Company, etc): _____
 Contact Name (if different from above): _____
 Mailing Address: _____
 City: _____ State: _____ ZIP: _____
 Telephone: _____ Email: _____

Contractor Information (if known): Check here if work is to be completed by Homeowner

Contractor (Individual, Company, etc): _____
 Contact Name (if different from above): _____
 Mailing Address: _____
 City: _____ State: _____ ZIP: _____
 Telephone: _____ Email: _____

Site Information: Check here if a site plan is currently under review for this project

Location (House Number, Road, Street): _____
 Site Plan Number (if box above is checked): _____ Site Plan Name (if box above is checked): _____
 Anticipated Starting Date: _____ Anticipated Ending Date: _____
 Type of Work to occur in Right-of Way/Easement (check all that apply):
 Replace Residential Driveway Commercial Driveway Construction Telecommunications
 New Residential Driveway Utility Construction (indicate length _____ ft.)
 Fill in Ditch/Culvert Replacement Bore & Jack Tree Trimming
 Subdivision Sign Road Widening/Road Construction Other: _____
 Provide below a detailed description of the desired facility and/or activity as follows: (include size, length, type of facility, material). If crossing under the roadbed, describe method. If buried, indicate depth from top of facility to surface. If facility is to run parallel to highway, indicate distance from inside edge of facility to centerline of road. If driveway approach, state if residential or commercial; if commercial, state type of establishment it will service. If tree trimming or tree removal, state number, species and sizes of trees involved.

ALL APPLICATIONS FOR RIGHT-OF-WAY PERMITS MUST INCLUDE:

- One (1) set of plans showing the proposed work within the public right-of-way or easement (complete site plan sets are not necessary and may be rejected)
- A \$100 check for the application fee made payable to the “City of Novi” should be submitted to the **Engineering Division**. Additional fees may be required for gas and electrical utility extensions. (Fee is waived for homeowners that are completing the work without using a Contractor)
- Application filled out completely and signed below by applicant. Submitted to **Engineering Division** located at **26300 Lee BeGole Drive Novi MI, 48375**.
- For utility installation complete and return the “[Right-of-way Checklist for Utility Installation](#).” The checklist is available on the city’s website at: cityofnovi.org (go to Public Works under forms and permits)

NOTE TO APPLICANT (PLEASE READ):

- The application will not be reviewed until all of the above items have been received by the **Engineering Division** located at **26300 Lee BeGole Drive Novi MI, 48375**.
- The plan must indicate the work to be performed, the location of the work, any trees within the work area and whether they are to be removed or protected. The plan must also indicate whether traffic will be impacted as a result of the work.
- If a land closure or road closure is proposed, this **MUST** be indicated as part of the application and specifically allowed as a condition of the permit. **A traffic control plan is required for all proposed closures.**
- The review of the application takes approximately 10 business days and is reviewed by multiple departments for compliance with City Ordinance and standards.
- Following review of the application, a notification will be sent to the individual listed below identifying the following:
 - Additional information that may be required
 - Performance Guarantee Requirements (\$500 for repaving driveways, min. \$1500 cash required for minor work, min \$5000 required for new homes on public streets) *Performance Guarantee shall be submitted to **Engineering Division**.
 - Insurance requirements (\$1,000,000 min. general liability)
 - If contractor is not known at time of application, it must be provided prior to issuance
- A Road Commission permit will be required for county roads in addition to the City of Novi permit.
- When the requirements in the notification have been satisfied, the permit can be signed by the Contractor (if applicable) and issued.

When Permit is ready, notify: (Name) _____	
By:	_____
Mail:	_____
Phone:	_____
Email:	_____
(Indicate preferred method of contact above)	

The above named applicant hereby makes application for a permit to Construct, Operate, Use and/or Maintain within the right-of-way or easement; or to close a city street. The applicants attention is called to the **RULES AND REGULATIONS** attached to this application. **ALTERATION OR REMOVAL** may be required by the **CITY AT ANY TIME** (see rules and regulations A-4). The applicant further understands that this application does not guarantee a permit and understands that no work is allowed in the public right-of-way or easement prior to issuance of a permit.

Signature of Applicant	Name and Title of Applicant	Date
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RULES AND REGULATIONS FOR CONSTRUCTION WITHIN, OVER OR BELOW PUBLIC PLACES

Pursuant to the authority granted in [Section 31-1](#) of the Novi Code of Ordinances, the following Rules and Regulations for Construction and/or Maintenance Within, Over or Below Public Places are hereby adopted and shall have an effective date of June 20, 1995.

- A. Any person conducting any construction and/or maintenance activities within, over or below any street, highway, alley, parkway, sidewalk, bike path, park or other public place under the jurisdiction of the City of Novi shall be required as a condition of being permitted to undertake such activities:
 1. To operate and maintain the structure covered by the permit at his own expense.
 2. To post all necessary bonds and certificates of insurance. To give notice to the Director of Public Services at least two (2) working days prior to commencement of operations covered by the permit. The applicant will be billed for inspection at the rates in effect at the time of issuance of the permit.
 3. To save harmless the City against any and all claims for damages arising from operations covered by the permit and upon request, furnish proof of insurance coverage or a protective liability policy naming the City as insured for the term of this permit for a minimum of \$1,000,000.00 personal injury and \$1,000,000.00 property damage for operations covered by this permit. The amount of required coverage may be reduced by the Director of Public Services when he or she determines that it is in the best interests of the City to permit such reduction.
 4. Surrender the permit applied for; surrender all rights hereunder; cease operations; and remove, alter, relocate at applicant's own expense the facilities for which the permit is granted whenever ordered to do so by the City because of its need for the area covered by the permit or because of a default in any of the conditions of the permit. Upon failure to remove, alter, relocate or surrender the facilities pursuant to the order of the City, reimburse the City for its cost in doing same. The City may utilize the proceeds of any required bond for such purposes.
 5. Upon request, submit a bond and/or cash escrow, or a certified check acceptable to the City and conditioned upon performance of the conditions of the permit and compliance with all requirements of law.
 6. Permission shall not be construed to grant any rights whatsoever to any public utilities whatsoever except as to the consent herein specifically given, or to impair anyway any existing rights granted in accordance with the constitution or laws of this State.
 7. PERMIT – The individual in charge of the work shall have the permit and the approved plans or sketches in his possession on the job at all times.
 8. EXCAVATION AND DISPOSAL of EXCAVATED MATERIAL. The Contractor and/or Utility Company shall provide and place the necessary sheeting, shoring and bracing required to prevent caving, loss or settlement of foundation material supporting the pavement, or any other highway installation such as sewers, culverts, etc. The Contractor and/or Utility Co. shall assume the full responsibility for this protection. Excavated material shall be stocked in such locations that it does not obstruct vision on the traveled portion of the highway and in such a manner that it will not interfere with the flow of traffic. The applicant shall dispose of all surplus and unsuitable material outside of the limits of the Right-of-Way unless the permit provides for disposal at approved locations within the right-of-way. In the latter case, the material shall be leveled and trimmed in an approved manner.
 9. BACKFILLING and COMPACTING BACKFILL – All trenches, holes and pits shall be filled with sound earth, or with granular material if so required. The approved material shall be placed in successive layers no more than six (6) inches in depth, loose measure and compacted to not less than 95% of the maximum unit weight as determined by the Michigan Department of State Highway Controlled Density Method. This specification shall be adhered to unless otherwise specified or authorized by the City Engineer. Density compaction test reports from an independent laboratory will be submitted by the applicant to the Engineering Department to ascertain compaction as specified or as may be required by the permit.
 10. CROSSING ROADBED by CUTTING GRAVEL and TRENCHING – All trenches across the roadbed shall be backfilled as specified in paragraph 9 to within eight (8) inches of the finished road surface. The top eight (8) inches shall be Aggregate (22A).
 11. CROSSING ROADBED by TUNNELING or BORING and JACKING – When the pipe is installed by this method without cutting the existing pavement, all remaining voids around the installation shall be filled by a

method approved by the City. Pressure grouting shall be required when deemed necessary. When the traveled portion of a road is tunneled or bored and jacked, the length of the pipe or casing used shall be the width of the road plus the shoulder width projecting a minimum of ten (10) feet from the edge of the pavement and/or back of curb. Casing shall be required when deemed necessary. Also when boring and jacking the leading edge of the pipe or casing used must always precede the Auger.

12. CROSSING ROADBED by CUTTING PAVEMENT and TRENCHING – When this method is approved by the Director of Public Services, the pavement shall be sawed so that the pavement area to be removed is a minimum of one (1) foot wider on each side than the maximum width of the trench. In no case shall the remaining slab width be less than five (5) feet from the patch to an existing joint. In rigid pavements, the saw cut shall be full depth; also when required the patch shall be tied to the existing slab by drilling hook bolts on 32-inch centers on all exposed faces of the existing pavement. The hook bolts shall be located at one-half (1/2) the pavement depth. Backfill shall be placed according to paragraph 9. The pavement shall be replaced with new pavement of the original type and quality, with joints to be sealed with an approved sealant, unless at a season of the year when it is not feasible, in which case a temporary surface of bituminous material shall be placed and maintained, and later replaced with pavement of original type at the applicants expense.
13. DEPTH of COVER MATERIAL – Depth of cover for underground facilities shall be determined at the time of application for a permit. In no case shall there be less than three (3) feet of cover between the surface of the traveled portion of the road and the facility being placed, and not less than three (3) feet below the flow line of ditches.
14. TREE PROTECTION or REMOVAL – Secure written permission of the abutting property owner when required.
 - (a) REMOVAL – Dispose of all limbs, logs, stumps and litter in a manner acceptable to the City Forester.
 - (b) PROTECTION – Underground facilities that interfere with trees in the Right-of-way shall be bored one-half (1/2) foot for each inch of tree diameter in all directions from the base of the tree.
15. RESTORATION and FINAL CLEAN-UP – Final Clean-up shall be such that it will provide a condition equal to or better than the original condition. Permittee shall be required to take and provide the City with dated pictures of the area being disturbed by the permit prior to any such work in order to establish the original condition. Failure to do so and/or providing insufficient pictures, permittee will have to restore the area as requested by the City. Restoration of lawns will be completed when satisfactory growth results, with no bare spots.
16. PROTECTION of ESTABLISHED SURVEY POINTS and DATUM – The permit holder shall protect, preserve and/or restore at his own expense, any established survey points and datum within the limits of the work covered by this permit.
17. TRAFFIC and SAFETY – When this permit allows the closing of a road, or the use of one or more traffic lanes, where construction is in proximity to the traveled portion of the road, signs, signals, lights, etc., shall be placed and maintained in accordance with the most current edition of Michigan Manual of Uniform Traffic Control Devices. The traffic control called for shall be minimum and the contractor shall erect and maintain at his own expense, all signs, signals, etc., for safety as directed by the City.
18. Any operation in the right-of-way not covered by these specifications shall be done in accordance with the instructions of the Director of Public Services and/or his designee.
19. Full compliance is required with any regulations of the Public Service Commission and Municipal or State Regulations, and any other City Ordinances, Policies and Resolutions.
20. This Permit shall be null and void, if the Insurance Certificate expires without renewal, and any bond filed with this application may be forfeited. In order to resume construction activities, including restoration, within the right-of-way, the applicant and/or contractor will have to re-apply for a permit. The same applies to a Bond that has expired.
21. If the Applicant is a homeowner that will do the work himself/herself, a Bond Waiver form has to be signed by all property owners abutting the right-of-way activities requested, and the application review fee, as well as, the requirements for Bond and Insurance Certificate will be waived.
22. It is the responsibility of the party doing work within the right-of-way to notify every property owner abutting this applicant of the scope of work and schedule, as well as, give them a contact name and telephone number for any concerns.
23. This permit will be rescinded automatically and bond may be forfeited should the construction activities differ from those indicated in the submitted drawings at the time of the application. Any changes must be approved by the City prior to any construction.