

Plain Township

Right-of-Way Excavation

Rules & Regulations

1. **PERMIT REQUIRED:** A right-of-way excavation permit is required when placing, extending, or repairing any pipes, cables, wires, roadway structure or appurtenances, or for any other purposes requiring the use of or connection to a Township road right-of-way. (U.S. Postal Maintenance approved mailboxes on breakaway posts are exempted from permit requirements) Failure to obtain a permit may result in the imposition of a fine equal to the permit and inspection fees (listed below) that would have been charged had the work been properly permitted and inspected. Further penalties may also apply, including the opening of the construction site for inspection and/or prosecution under Ohio Revised Code §5571.99.
2. **LIABILITY:** The issuance of a permit does not relieve the agency and its contractor from any liability, and the permit holder shall at all times indemnify and save harmless Plain Township and its employees and officials against all claims from injury or damage to persons and property that may be asserted by any firm, person or corporation arising out of the use and occupancy of any part of the road and/or road right-of-way. The attached indemnification agreement must be completed and submitted with permit application.
3. **PERMIT PLANS:** Whenever excavation is to be performed within the right-of-way, all permit requests shall be accompanied by a plan of suitable size and clarity to show the nature of the work to be performed. Such plan shall show all existing utilities and topographic features, existing right-of-way and adjacent property lines. The utilities shall be shown on the plans as to horizontal and vertical alignment based on a diligent search of records. All conflicts with any utility facility shall be resolved to the satisfaction of the utility owner. Trench data is to include length, width and depth dimensions and indicate fill material to be used. Method of closure must also be shown. (Please request a copy of current filling and closing materials and procedures). Indicate if excavation is in pavement, sidewalk, driveway or grass areas. Make notation if a trench, push, bore or tunnel method is involved. Proposed work should be highlighted for easy identification. **NOTE: *Plain Township discourages the practice of enclosing natural or man-made swales and ditches with storm pipe in the Township. In most cases, permits will not be granted for such excavation work.***
4. **ROAD CLOSURE:** Whenever the full closure of a road is needed, the agency or its contractor shall provide the Plain Township Maintenance Department with a set of plans showing the proposed traffic control signs, detour route maps, notes, etc. Upon approval of plans, contractor must notify Plain Township Maintenance Department and Fire Department five (5) working days prior to actual closure of road.
5. **RESTORATION:** Whenever any person or agency has a permit to excavate in any roadway or right-of-way of any road or public way, the person or agency causing such excavation shall restore the same in such a manner and by the time as required by Plain Township. All road and driveway repairs shall conform to current county standards and specifications. Permanent repairs to any road, open-cut for the purpose of installing, extending or repairing any pipe, utility, wire, cable, conduit or any other repair shall be made in accordance with current specifications approved by the Franklin County Engineer.
6. **EMERGENCY REPAIRS:** When any public agency, private utility company or contractor must excavate within the roadway to make emergency repairs for the safety and convenience of the public, the same shall request a permit the following working day. All permanent repairs shall conform to these regulations.

7. **INSPECTION:** Personnel of Plain Township shall do inspection and acceptance of work performed under these permits. It is the permit holder's responsibility to request inspections. If, in the opinion of the Plain Township Maintenance Department Superintendent or the Plain Township Administrator, additional inspections are needed due to the size or nature of the work, the contractor shall place on deposit funds necessary to pay for said inspection Maintenances. If a deposit is required, the amount will be negotiated with the contractor.
8. **TRAFFIC CONTROL:** If traffic control devices are required, all such devices shall be furnished, erected, maintained and removed by the contractor in accordance with the Ohio Uniform Manual of Traffic Control Devices with current revisions. Copies are available at the Ohio Department of Transportation, 25 S. Front Street, Columbus; or ODOT District 6, Delaware, Ohio.
9. **NEW PAVEMENT OR REPAVEMENT:** No permit will be granted to open-cut new pavement or repavement of a road, except for the purpose of emergency repairs, until after three years from the completion of such new pavement or repavement. When any emergency repairs are necessary. The Franklin County Engineer's specifications shall be followed when making permanent pavement repairs after open cutting.
10. **FEES:** A permit fee of **\$50.00** shall be charged (ORC §5571.16). In addition, plan review and inspection fee of **\$200** will be charged for all new work. See Application for fee schedule. No permit or fee is required if work involves only the installation of U.S. Postal Maintenance approved mailboxes on breakaway posts. If full stand-by inspection is requested by the contractor, a fee will be negotiated which must be deposited with Plain Township Fiscal Officer prior to commencement of work.
11. **CONSTRUCTION BOND:** In addition to permit fee, plans review and inspection fee, a bond shall be required for the following: open-cutting of pavement; work in right of way outside of paved area; new residential structures accessing a Plain Township roadway; or existing residential structures seeking a new or additional curb cut; installation of culvert pipes; construction of a commercial structure or structures with entry onto a Plain Township roadway. No bond shall be required for replacement of existing driveway culvert pipe so long as the replacement is the same diameter and alignment as the existing culvert pipe (application and permit still required).

No bond shall be refunded if the construction does not meet the required standards, is in violation of these regulations, or is not carried out according to the application and approved permit. Bond will be refunded if work is corrected within 30 days of initial inspection and the correction meets the standards and regulations. It is the applicant's responsibility to request both the inspection fee and refund of bond.
12. **MATERIALS TO BE USED:** All materials to be used shall be listed on the application for excavation in the right-of-way and shall be approved by the Plain Township Maintenance Department Superintendent and/or the Franklin County Engineer.
13. **SUBSTANDARD OR INCOMPLETE WORK:** Substandard or incomplete construction or restoration will result forfeiture of bond in the amount required for Plain Township to complete, repair or restore the excavation at a rate of **\$50.00** per hour plus materials. Severe nonconformance with these standards may result in the issuance of a stop work order by the Zoning Officer.