

SECTION 6 - PERMIT TO WORK IN COUNTY RIGHT-OF-WAY

All work in the County right-of-way, alleys and permanent easements shall have prior approval from the Department of Public Works before any work is performed.

Unless otherwise noted hereinafter, a permit (Appendix E) shall be obtained from and submitted to the Department Public Works for review and approval. The original permit application and four copies of the plan or drawing shall be submitted in sufficient time to allow the Department to review the proposed work and comment. A permit fee and a financial guarantee that are commensurate to the amount of work shall be required with each permit application. The financial guarantee in the amount agreeable to the Department of Public Works shall be cash or an approved irrevocable letter of credit. The Applicant shall be responsible for the work authorized under the permit for a period of one year from the date of completion. Should there be any defects or failures in the work, such as, but not limited to, settlement of trenches in the roadway/shoulders or graded areas, pipe, curb & gutter, driveways, sidewalks, vegetation, etc., corrective work shall be performed immediately upon notification from the County. Failure to respond in a reasonable time frame, as determined by the County based on public need or safety, shall be just cause for the County to take the necessary action to have the defect corrected and to bill the Applicant or draw on the financial guarantee for the cost to correct the defect.

Attached to each approved permit will be a list of Special Provisions, which shall govern the work and set forth-minimum requirements for working in the County right-of-way. Because each permit is different with respect to the scope of work and location, additional requirements may be added to address specific concerns relative to the proposed work. Should the Applicant disagree with any of the terms or conditions required with the permit, the Applicant shall not proceed with any portion of the work until the issue is resolved. Once the work has started, the terms and conditions shall be deemed acceptable and final. The Applicant shall be responsible for notifying the Department of Public Works Construction Division and Traffic Engineering Division at least 24 hours prior to any work. Depending on the scope of work, traffic control requirements and public notification requirements, additional notification time may be necessary.

The Applicant shall be responsible for providing all traffic control in accordance with the latest edition of the Virginia Work Area Protection Manual and/or as required by the Traffic Engineer. All work shall be inspected and approved by the Department of Public Works Construction Division. All materials and construction methods shall be in accordance with the latest edition of the Virginia Department of Transportation Road and Bridge Specifications, unless otherwise approved. The Permit can be revoked at any time for unsatisfactory work or failure to comply with the requirements of the permit.

The open cutting of roads shall not be permitted, unless substantial justification is submitted and approved. If approval is granted, restoration of the pavement shall be as specified in the permit, or as directed by the Department of Public Works. Pavement restoration requirements are subject to change if the amount of actual disturbance is more than what was anticipated when the permit was approved.

The installation of any private facility in the County right-of-way, in which the County will not ultimately become the owner of the facility, cannot be installed in the County right-of-way unless an Agreement for Use of Public Rights-of-Way (Appendix E) has been executed between the Applicant and the County.

Residential Driveways

Individual requests to construct or modify a residential entrance will not be subject to the requirements above, as long as the request is specifically from the homeowner who will accept full responsibility for the work. Once it has been determined that the location of the entrance or modification of an entrance meets County requirements, a letter will be sent to the homeowner, which will serve as a permit to perform the work. The letter will address inspection requirements, time limits, responsibility and workmanship and will include specifications and standards that are applicable to the work. No permit fee or financial guarantee will be required for this form of a permit.