



1381 Big Bend Road
Twin Oaks, MO 63021
(636) 225-7873 • fax (636) 225-6547
www.cityoftwinoaks.com

Application Date: _____

Application No.: _____

Fee: \$ _____

-- RIGHT-OF-WAY PERMIT APPLICATION --

Directions: This Right-of-Way Permit Application (the “Application”) constitutes a request for an Excavation or Facilities Maintenance Permit in the City Right-of-Way (“ROW”) **pursuant to Chapter 515 of the Municipal Code of the City of Twin Oaks, Missouri (the “City Code”)**. All fees shall be paid in accordance with the City’s policies at the time of Application submission. This Application may not fully describe or coincide with all types of projects. If it is believed that certain questions are either not relevant or are inapplicable as a result of system design, law, or other reason, please indicate the specific basis for such belief as to your Application. **All defined words in City Code § 515.020 shall have the same meaning as set forth in § 515.020 when used in this Application.**

Please also note: *if you are a contractor filling out this Application on behalf of an entity that will own the Facilities in the City’s ROW, the entity that will own the Facilities in the ROW qualifies as “ROW User” for purposes of this Application, not the contractor physically doing the work. If Agent/Contractor is applying on behalf of a ROW User with a ROW Use Agreement with the City, please attach documentation demonstrating that Agent/Contractor may act as the ROW User’s agent.*

Requesting Excavation Permit (y/n)?

Requesting Facilities Maintenance Permit (y/n)?

Information concerning ROW User, Agent/Contractor, and Facilities Proposed:

ROW User Name: _____

Business Address _____ City _____ State _____ Zip Code _____

() _____ Phone Number _____ Email Address _____

Agent/Contractor Business Name
(if separate from ROW User): _____

Business Address _____ City _____ State _____ Zip Code _____

() _____ Phone Number _____ Email Address _____

Parcel Locator Number/Site

of the Work: _____

Address	City	State	Zip Code
()	Phone Number	Lot Locator Number	

Information concerning work to be performed in ROW:

Estimated Start Date: _____ Estimated Completion Date: _____

Note: All work effecting traffic movement shall be accomplished between the hours of 8:30 a.m. and 4:00 p.m. of each workday. The road shall be kept open to traffic at all times.

Type of work: In Earth In Sidewalk In Pavement Residential driveway apron
 Electric Gas Water Sewer Other (specify) _____

Size of Excavation: Length _____ Width _____ Depth _____

Purpose for which Application is being made: *(Attach additional sheets if more space is needed)*

Detailed description of work that will be done. Include: specifications, and standards that will be followed (in-accordance with City Code § 515.120), and drawings shall be included if necessary to define work: *(Attach additional sheets if more space is needed)*

Estimated total cost of work to be performed: \$ _____

If Application is for a Facilities Maintenance Permit, please provide the following: (limited to Permits issued in the past 18 months)

Prior Permit Issuance No: _____ Date of Prior Permit: _____
General Location/Address of Prior Permit(s): _____

(In lieu of the above information relating to Permit(s) at the location in the past 18 months, please attach any such Excavation, Facilities Maintenance Permit, or other similar Permit issued and As-Builts.)

All Applications shall include the following:

- Copy of ROW Use Agreement between **ROW User** and the City or other authorization for ROW User to be in the ROW from the City, if any.
- Linear Feet in ROW:
_____ Total linear feet of ROW User's Facilities currently in City Rights-of-Way.

_____ Total linear foot of ROW User's Facilities in City Rights-of-Way after completion of project.

- Surety – In the amount to perform said project:
 - Surety (surety or bond not less than an amount determined necessary by the City Clerk per City Code 515.110.H)
 - ROW User has filed affidavits with the City demonstrating eligibility for self-bonding as provided by Section 67.1830(6)(a) RSMo.
- Insurance:
 - The ROW User and any subcontractors shall procure and maintain insurance as provided by City Code Section 5.110.G (or in such amount as may be required by State Law) during the life of the ROW Permit. The City shall be named as an additional insured on such insurance policies and the ROW User or its Agent/Contractor shall furnish the City Clerk with certificates evidencing such insurance prior to issuance of the ROW Permit.
 - ROW User has filed affidavits with the City demonstrating eligibility for self-insurance pursuant to Section 67.1830(6)(a) RSMo.

General Requirements:

- All work shall be performed in accordance with all applicable Municipal Code of the City of Twin Oaks, Missouri provisions, including specifically Chapter 515, Twin Oaks requirements, all other laws relating to use of the ROW, excavation, and traffic safety, and as specified herein.
- ROW User may only conduct Excavation or Facilities Maintenance within the area specified in the plans approved in any ROW Permit issued hereunder. Any additional Excavation or Facilities Maintenance outside of the permitted area shall require separate approval by the City.
- ROW User, or its Agent/Contractor, shall call Missouri One-Call (1-800-344-7483) prior to commencing any work.
- Unless otherwise noted all Excavation and Facilities Maintenance Permits expire **60 days from date of issuance**;
- No Permit shall be valid until signed by the City Engineer or his/her authorized designee.

Mandatory requirements during course of Excavation and restoration period:

- Barricades shall be placed around site to protect and warn public. Traffic warning signs shall be provided in accordance with the “Manual of Uniform Traffic Control Devices” (latest revision) and as defined herein.
 - If a Traffic Control Plan is required by City Code Section 515.130.B.2, include such Traffic Control Plan in the submission.
- One lane of traffic shall be maintained at all times and two-way traffic shall be established and exist at the end of each workday.
- All excavations shall be covered and protected at all times other than when work is being performed.
- Breaking through pavement - borders shall be straight and established with a power-driven concrete saw the full pavement depth.
- No equipment shall be stored on site during non-working hours.
- No excavated and/or other materials shall be stored on the roadway surface during non-working hours.
- ROW User shall ensure that storm water runoff is not blocked during the course of work and/or shall put in place proper provisions to ensure storm water runoff is maintained.
- ROW User shall provide and maintain proper silt and erosion control.
- ROW User shall guarantee the restoration of the ROW where the ROW User conducted Excavation in accordance with the City’s standards and conditions for a period of 48 months pursuant to § 67.1834 RSMo.

ROW User, including where applicable ROW User's Agent/Contractor, hereby agrees:

- That any ROW Permit issued is subject to the *Municipal Code of the City of Twin Oaks, Missouri*, including, but not limited to, the provisions of Chapter 515, any Rights-of-Way Use Agreement, Franchise, or License between ROW User and the City, and the conditions herein. The signing of this Application by ROW User or its Agent/Contractor binds the ROW User and any applicable Agent/Contractor to the terms of this Application and any subsequently issued ROW Permit for the Excavation or Facilities Maintenance applied hereto. If signed by ROW User's Agent/Contractor, or Contractor's authorized representative, the contractor and any subcontractors will be held jointly responsible for all requirements of any ROW Permit issued hereto.
- That the City makes no express or implied representation or warranty regarding its rights to authorize the installation or construction of Facilities on any particular segment of ROW and shall not be liable for any damage therefrom.
- To keep a copy of the Permit and an approved plan on the job site.
- To be responsible for any damage to the City ROW, including but not limited to, streets, sidewalks, lawn areas, and utilities and that ROW User shall be solely responsible for and shall indemnify the City for all claims, actions, costs, or damages of any kind arising, directly or indirectly, in whole or in part, out of the fact that the City granted this Permit or the activities performed, or failed to be performed, by ROW User or its Agent/Contractor under this permit, to the minimum extent required by City Code Section 515.110.I and the ROW User's ROW Use Agreement, License, or Franchise.
- **No Franchise, License, or ROW Use Agreement is granted herein** and that, notwithstanding any claim to the contrary, any ROW Permit shall be subject to termination and the Facilities authorized herein shall be subject to removal and/or relocation at the direction of the City at ROW User's sole expense upon written notification of the City. **No ROW Permit shall be deemed to grant any property right, grant approval for use of property requiring consent by another property owner or other government, or be deemed to grant lawful access where all other lawful requirements have not been fully satisfied, including receiving a current, lawfully granted Franchise, License, or ROW Use Agreement where required.**

Signature of ROW User or ROW User's Agent/Contractor

Date

Print Name

Representation Concerning Authority & Compliance with Laws:

I am authorized by the ROW User to sign on his/her/its behalf and have read this Application in its entirety. The information contained herein is true and correct and complete to the best of my knowledge, information, and belief.

ROW User hereby represents that the business conducted by ROW User or ROW User's Agent/Contractor does not and will not violate any Ordinance of the City of Twin Oaks and now complies and will continue to comply fully with the laws of the State of Missouri. ROW User acknowledges that failure to truthfully complete this Application or failure to comply with all laws may result in revocation of any ROW Permit issued hereunder, among other consequences or penalties.

Signature of Principal Officer

Date

Print Name

City Use Only

Right-of-Way Permit: Approved Conditionally Approved Disapproved

Comments/Conditions:

Building Commissioner

Date

Mayor

Date

Twin Oaks Permit Number: _____ Date Issued: _____

Expiration Date: _____