

CITY OF BOERNE RIGHT-OF-WAY USER PERMIT APPLICATION

APPLICATION DATE: _____ PERMIT # : _____ (FOR OFFICE USE ONLY)

ADDRESS OF WORK: _____

WORK TO BE PERFORMED: _____

APPLICANT: _____ PHONE#: _____

APPLICANT BUSINESS ADDRESS: _____

APPLICANT'S 24-HOUR CONTACT: _____ TITLE: _____

PHONE#: _____ MOBILE#: _____ E-MAIL: _____

GENERAL CONTRACTOR: _____

COMPANY NAME: _____

PHONE#: _____ MOBILE#: _____ E-MAIL: _____

PROPOSED START DATE: _____ PROPOSED COMPLETION DATE: _____

TOTAL VALUE OF ALL IMPROVEMENTS IN RIGHT-OF-WAY: _____

*****ATTACH TWO (2) COPIES OF PROPOSED ENGINEERING TO APPLICATION*****

Permit Fee is \$25.00 - Paid at the Time the Permit is picked up.

DO NOT BEGIN WORK UNTIL THE FOLLOWING IS COMPLETE:

- Permit and plans are approved in writing by all appropriate parties. Contractor must have approved permit, plans and construction notes on site.
- Apply for a construction/building permit (if applicable).
- Erosion control measures are on site.
- Line locates from all affected utilities are completed. Call 811 for location of utilities. (Texas State Law requires 48-hours notice before excavation.)
- List of all contractor(s) and/or subcontractor(s) who will perform work has been provided.
- Furnish proof of insurance (required) and a bond or surety (if applicable).

All Construction is to be in strict accordance with this permit and City of Boerne Ordinance 2006-59.

Applicant Signature

Date

Printed Name

Public Works Signature

Date

Permit approved: Yes No

CITY OF BOERNE RIGHT-OF-WAY CONSTRUCTION GUIDELINES

Note: Non-compliance with any of the following guidelines may result in construction being immediately halted.

Permit Requirements:

- No person shall commence or continue with the construction, installation or operations of facilities within the right-of-way in the City of Boerne except as provided by the ordinances of the City of Boerne and the directives of the Public Works Department. All construction activity in the City of Boerne right-of-way will be in accordance with this chapter.
- **A permit is required to work within the City of Boerne right-of-way. This includes, but is not limited to, major construction, maintenance, pulling fiber and/or cable, installation of new or replacement manholes, aerial work or any other type of construction within the city limits.**

The Public Works Department may be reached at the following numbers:

Office (830) 248-1538, Fax (830) 248-1326

Construction Requirements:

- The Public Works Department must be notified twenty-four (24) hours in advance that construction is ready to proceed by the right-of-way user, their contractor or representative.
- **Advance written notice (doorknob hangers) will be given to property owners and residents by the permittee or his representative no less than forty-eight (48) hours before construction is scheduled to begin.**
- Allowable right-of-way construction times are 7:00 a.m. to 9:00 p.m., Monday through Friday, 8:00 a.m. to 9:00 p.m. on Saturday, and 10:00 a.m. to 8:00 p.m. on Sunday. Exception to this provision is in case of urgent necessity in the interest of public health, welfare, or safety, and then only with permission from the City Manager and/or his authorized representative. No work will be done on City holidays, except in emergency situations. A list of scheduled holidays may be obtained from the office of the City Secretary.
- All construction and installation in the right-of-way shall be in accordance with the permit for the facilities. The Public Works Department shall be provided access to the work and to information as he or she may reasonably require ensuring compliance with the permit.

- The Public Works Department may request a pre-construction meeting with the permittee and their construction contractor.
- Permittee is responsible for seeing that the contractor performing work receives a copy of these General Notes prior to beginning work. Copy of General Notes must be maintained on job site at all times. **If more than one crew is working, each crew must have a copy on site at all times.**
- Contractors will have a copy of the approved permit and approved construction plans on the construction site at all times. The Public Works Department will halt construction if all job sites are not in compliance, with no exceptions. **Contractor will have all other applicable permits relating to the job and/or site (i.e. TxDOT, Kendall County) on site.**
- All construction or installation work authorized by permit must be completed in the time specified in the construction permit. If the work cannot be completed in the specified time periods, the permittee may request an extension from the Public Works Department.
- **When a lane closure is required or anytime equipment or supplies will be in a lane of traffic, a written traffic control plan must be submitted with the permit application before construction can begin. Notice of lane closure must be requested twenty-four (24) hours in advance for approval. A copy of the approved traffic control plan must be on site.**
- Lane closures on major thoroughfares will be limited after 8:30 a.m. and before 4:00 p.m., unless prior approval is granted from the Public Works Department.
- All required erosion control measures (i.e. silt fence) and advance warning signs, markers, cones and barricades must be in place before work begins.
- Contractors working in the right-of-way or utility easements are responsible for obtaining line locates from all affected utilities prior to any excavation. The City of Boerne owns and operates electric, water, sewer, and natural gas distribution systems in and around the Boerne area. There are also numerous other buried utilities in this area that do not belong to the City of Boerne. Texas law requires any excavator to request underground facilities to be located prior to digging. This can be accomplished by calling **811**.
- Construction, which requires pumping of water or mud, shall be contained in accordance with City of Boerne ordinances and federal and state law and the directives of the Public Works Department.

- Permittee is responsible for workmanship and any damages by a contractor or subcontractor. A responsible representative of the permittee will be available to the Public Works Department at all times during the construction.
- All construction shall be in conformance with all city codes and applicable local, state and federal laws.
- Permittee and the designated contractor will be responsible for storm water management and erosion control that complies with any city, state and federal guidelines. Excavation site in erosion areas (next to curbs, storm drains, etc.) must have silt fences maintained until reasonable vegetation that will prevent erosion is established. Potential erosion sites will be closely monitored and compliance strictly enforced. Some high erosion areas may require silt fencing to be wire backed. All open holes back of the curb and all holes left open overnight will require orange barricade fencing. Upon request, permittee may be required to furnish documentation submitted to or received from federal or state government.
- Permittee, contractor or subcontractor will notify one of the above one-call notification centers and the City of Boerne Public Works Department immediately of damage to any underground utilities.
- New non-municipal facilities must be installed to a depth approved by the Public Works Department.
- Installation of facilities must not interfere with city utilities, in particular gravity dependent facilities.
- When a street or sidewalk cut is required, prior approval must be obtained from the Public Works Department and all requirements of the Public Works Department shall be followed.
- Repair of all streets and sidewalks must be made promptly to avoid safety hazards to vehicles and pedestrian traffic. **If prior notification of street or sidewalk cut is not obtained, job will be halted. Approval must be obtained twenty-four (24) hours in advance.**
- Placement of all manholes and/or handholes must be approved in advance by the Public Works Construction Inspector.
- All directional boring shall have locator place bore marks and depths while bore is in progress. Locator shall place mark at each stem with paint dot and depth at least every other stem.
- Locate flags shall not be removed from a location while facilities are being constructed.

Restoration of property:

- Users of the right-of-way shall restore property disturbed by construction to a condition that is equal to or better than the condition of the property prior to the performance of the work. The Public Works Department must approve restoration.
- Restoration must be made in a timely manner as specified by approved Public Works Department schedules and to the satisfaction of the Public Works Department. If restoration is not satisfactory and performed in a timely manner, all work, except that related to the problem, including all work previously permitted but not complete, will be halted and a hold will be put on all pending permits until all restoration is complete.
- Restoration must be to the reasonable satisfaction of the Public Works Department and the property owner. The restoration shall include, but not be limited to:
 1. replacement of all ground cover with the type of ground cover damaged during work or better, either by sodding or seeding, as directed by Public Works Department;
 2. installation of all manholes and handholes, as required (this includes tie-ins, proofing, etc.);
 3. backfilling all bore pits, potholes, trenches or any other holes daily, unless other safety requirements are approved by Public Works Department;
 4. leveling of all trenches and backhoe lines;
 5. restoration of excavation site to city specifications; and
 6. restoration of all landscaping, ground cover and sprinkler systems.

After construction is complete, removal of all locate flags is the responsibility of the contractor.

Improperly installed facilities:

- Any person doing work in the city right-of-way shall properly install, repair, upgrade and maintain facilities.
- Facilities shall be considered to be improperly installed, repaired, upgraded or maintained if:
 1. the installation, repairs, upgrade or maintenance endangers people;
 2. the facilities do not meet the applicable city codes;
 3. the facilities are not capable of being located using standard practices; or
 4. the facilities are not located in the proper place at the time of construction in accordance with the directions provided by the Public Works Department.