



## **CITY OF CLINTON, IOWA PERMITTING POLICY WORK IN RIGHT-OF-WAY**

Any person working within the right-of-way must first procure a permit from the Engineering Department.

The policy covers administration of permits for work done within the City of Clinton right-of-way.

### **PERMIT APPLICATION PROCESS**

A permit will only be issued if the following conditions have been met:

- The applicant has registered as a contractor within the Engineering Department. This includes filing a contractor information sheet, a \$100 annual registration fee, a Certificate of Insurance, and a bond for the contractor to perform work within the right-of-way in the amount of \$10,000.
- A permit application has been filled out online, all required documentation (including plans) uploaded, the filing fee paid and submitted to the Engineering Department for approval.
- A separate permit application is required for each excavation within the city street or alley right-of-way. Special conditions are as follows:
  - For multiple excavations within the same city block, only one permit is required.
  - For projects spanning multiple blocks, a separate permit application is required for each city block.
  - For underground boring or directional drilling project, a separate permit application is required for each street name and may contain multiple blocks.
  - For overhead utility construction only, one permit application may encompass multiple city blocks or street names.
- A permit for emergency work must be applied for on the following business day after the occurrence.
- Contact with the applicant will be made via email, phone or letter.
- A permit is not considered approved until the permit has been reviewed and a fully signed copy has been sent to the permit applicant.

## **ROAD CLOSURE FEES**

There is no charge for road or street closures during the first week. Beginning with the second week, a fee of \$500 per week per city block will be assessed for continued closure.

## **PERMIT INSPECTIONS**

The City inspector shall carry out inspections for all active permits. The inspector is checking to ensure that the work meets the City's codes/specifications. All applicants must schedule an inspection with the Engineering Department.

The inspector may issue an order to the permittee to correct any work which does not conform to the applicable standards. The order shall state that failure to correct the violation will be cause for revocation of the permit. If the work is not corrected per the ordinance, the Engineering Department may revoke the permit.

## **REVOCATION OF PERMITS**

The City may revoke any right-of-way permit for not abiding by any of the following:

1. The violation of any provision of the permit.
2. An evasion or attempt to evade any provision of the permit, including inspection, or the perpetration or attempt to perpetrate any fraud or deceit upon the City or its citizens.
3. Failure to give notice to the Department inspector or standby.
4. Any error of fact in the application for a permit.
5. The failure to maintain the required bonds and/or insurance
6. The failure to complete the work in a timely manner; or
7. Failure to complete the work in accordance with the City's current specifications and design standards.
8. Failure to correct a condition indicated on an order issued by the Director or an inspector.

In any of the instances mentioned above, the City of Clinton shall issue a revocation of permit form to the contractor.

Revocation of a permit shall constitute grounds for denial of another application or a permit for a period of one year from the date of revocation.

## **STOP WORK ORDERS**

In certain instances, the inspector may issue stop work orders. In these cases, no work shall progress until the violation is resolved.

Stop work orders shall be issued by the inspector for any of the following circumstances:

- Any work being done in the right-of-way without a permit.
- Any work being done in the right-of-way without proper sediment control operations.
- Any work being done in the right-of-way without proper traffic control

The permittee shall be subject to administrative penalties if the situation is not resolved in a timely manner.

## **PERMIT RESTORATION REGULATIONS**

The following regulations shall govern regulations for property restoration of all work permitted within the right-of-way:

- All restoration works to be put back as the site was found or better. Please refer to Ordinance 97.113 for restoration regulations.
- All permits are good for 90 days. If construction takes longer, this shall be disclosed as part of the application process.
- A letter shall be sent to any active permits at 60 days after excavation, requiring full restoration and backfill per ordinance within another 30 days.
- If the site is not restored after 30 days, the right-of-way shall be restored by the City and the costs shall be invoiced to the permittee and its bonding company.
- Permanent restoration on street openings made between November 1 and April 1 will be made when weather permits.

### **PERMIT CLOSEOUT REQUIREMENT**

Upon completion of work, the permittee must email a clear picture of the completed site to the Engineering Department. This image will be used to verify restoration and close out the permit. No permit will be considered closed out until this is done, or an inspection has been completed by our Engineering Department.

### **ADMINISTRATION PENALTIES**

The City shall issue administrative penalties for any of the following circumstances:

- Failure to abide by a stop work order and immediately procure a permit
- Failure to maintain proper traffic control devices per Ordinance 97.112 (A)
- Failure to maintain proper sedimentation control devices per Ordinance 97.112 (B)
- Failure to restore excavation within required time limits

All administrative penalties shall be paid within 30 days of the issuance of the notice.

The complete ordinance can be found at:

[https://codelibrary.amlegal.com/codes/clintonia/latest/clinton\\_ia/0-0-0-4870#JD\\_Chapter97](https://codelibrary.amlegal.com/codes/clintonia/latest/clinton_ia/0-0-0-4870#JD_Chapter97)

### **IOWA DOT PERMITTING REQUIRED**

An Iowa DOT permit is required if work is occurring within the right-of-way of the following locations:

North 3<sup>rd</sup> Street (from Main Avenue to city limits)  
 Main Avenue (from North 2<sup>nd</sup> Street to 16<sup>th</sup> Street N.W.)  
 North 2<sup>nd</sup> Street (from Main Avenue to 1<sup>st</sup> Avenue)  
 South 2<sup>nd</sup> Street (from 1<sup>st</sup> Avenue to 7<sup>th</sup> Avenue South)  
 7<sup>th</sup> Avenue South (from South 2<sup>nd</sup> Street to South 4<sup>th</sup> Street)  
 South 3<sup>rd</sup> Street (from 7<sup>th</sup> Avenue South to 11<sup>th</sup> Avenue South)  
 South 4<sup>th</sup> Street (from 7<sup>th</sup> Avenue South to 11<sup>th</sup> Avenue South)  
 11<sup>th</sup> Avenue South (from South 4<sup>th</sup> Street to South 5<sup>th</sup> Street)  
 Camanche Avenue (from South 5<sup>th</sup> Street to South 14<sup>th</sup> Street)  
 Lincoln Way (from South 14<sup>th</sup> Street to city limits)

We will need some form of communication from the Iowa DOT that indicates a permit has been applied for and waiting for approval.