

RIGHT OF WAY PERMIT APPLICATION



A Right-of-Way Permit is required to dig/excavate within any City of Spearfish ROW. Approval of this application may take anywhere from 0-2 weeks
 Permit Fee \$50.00 per excavation up to 400 linear feet.

Contact Information

Permittee (Licensed contractor performing the work)

Mailing Address	City, State, Zip
Phone Number	E-Mail Address

Digging / Excavating Information

Location	Start Date	Finish Date

Desired Work in R-O-W

(One of the following must be included with this application: plans, map, or drawing)

Description of work

	Permit Cost: _____
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Article V. Use of Municipal Rights-of-Way (ROW)

Sec. 14-132. Permit required.

- (a) No person shall make or cause to be made any excavation in or under any street, parking, sidewalk, alley or public ground without first having obtained a ROW permit and a contractor's license from the building and development department. The permit will not be required to start emergency work as may be necessary to protect existing structures. the permit shall be obtained the morning of the first working day after such work has commenced.
- (b) Any person, other than a person holding a special event permit, desiring to block, partially occupy, or interrupt the traffic flow of any ROW for 30 minutes or more for any reason, shall be required to have a ROW permit.
- (c) The construction of driveways and sidewalks within the city's corporate limits pursuant to a City of Spearfish building permit will include a ROW permit at no extra charge.
- (d) Any person starting any work in a municipal ROW without a ROW permit shall be subject to fines set forth in section 1-14.

Sec. 14-133. Application for permit.

- (a) Any person requesting a ROW permit shall make application to the Assistant city engineer, or his or her designee.
- (b) At a minimum, the application shall include the exact location of the work, a detailed description of the work to be performed, the purpose for the work, an illustration of the areas to be disturbed or removed, and a timeline for the replacement of all materials. The Assistant city engineer may approve temporary repairs in the event of inclement weather.
- (c) Additional submittal documents, such as traffic control plans and utility plans or profiles, may be required as determined by the Assistant city engineer, based on the size and/or complexity of the project or other factors.
- (d) The application will be generally be reviewed and approved within 7 days of submittal. Additional review time for larger more complex projects may require additional time.

Sec. 14-137. Restoring pavements or street surfacing to meet city specifications.

It shall be the duty of the Assistant city engineer to keep on file a copy of all ROW permits, and to conduct periodic inspections of pavements or other street surfacing disturbed permits. If a pavement or surface is not restored to current city specifications, notice thereof shall be sent to the permittee. The permittee shall return the pavement or surface to an approved condition within a time period as specified by the engineer. If the permittee fails to restore and maintain such pavement or the surfacing thereof, the engineer shall arrange for the completion of the necessary repairs. The original permittee shall pay a penalty to the city equal to one and one-half (1.5) times the cost of the repairs. No other permit shall be issued to an individual, or any person in his or her behalf, until satisfaction of the penalty provided by this section has occurred. The engineer shall be consulted for typical street patching requirements.

Permit Requirements

- Contractor must maintain a minimum parallel/horizontal distance of 8" and 1.5' vertical distance from all city utilities.
- Appropriate traffic control is required for all work within the right-of-way and shall be in place prior to start of work .
- Any contractor digging into an asphalt street or alley will receive a copy of the utility trench patching requirements. All street or alley replacements are to be performed according to these requirements.
- Initial inspections of base material and forms are required before the contractor places any concrete.
- Contractor is responsible to provide a minimum of 48 hours advanced notice to all property owners that will be affected by the proposed work.
- Concrete and asphalt removals must have an established schedule for replacement (within 3 days of removal; sec.14-137) before removal is completed.
- Placement of 4" of topsoil followed by seeding/mulch/fertilizer is required in all disturbed areas prior to completion of a project.
- All projects require a final warranty inspection by an Engineer, Water/Sewer department representative, or Street Department designee. The 3-year warranty period does not begin until the final inspection is completed.
 - o Inspections shall be scheduled atleast 24 hours in advance.
 - o All newly installed utilities must be located prior to final inspection.
 - For ROW permit final inspections call City Engineer, Kyle Mathis, (605) 717-1129.
 - For WS Install/Repair Permit final inspections call Miles Burzlaff with the Water and Sewer Department, (605) 645-1395.
 - o Only state licensed installers are permitted to install or make repairs to sewer and water infrastructure.