

## RIGHT OF WAY PERMIT APPLICATION

Community Development - Engineering Department

City of Birmingham

151 Martin Street, Birmingham, MI 48009

(248)530-1850 www.bhamgov.org

Permit No: \_\_\_\_\_

Issued: \_\_\_\_\_

Expires\*: \_\_\_\_\_

\*Permit expires **15 days** from above date  
unless otherwise noted

**PERMIT FEE: \$100**

### PROJECT INFORMATION

Job Location: \_\_\_\_\_

☐ New House ☐ Sewer Tap/Repair ☐ Water Tap/Repair ☐ Utility (gas, electric, etc.) ☐ Soil Borings or Monitoring Wells

Description and Purpose of Request: \_\_\_\_\_

### APPLICANT INFORMATION

Name of Applicant: \_\_\_\_\_

Company Name: \_\_\_\_\_

Address of Applicant: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

### GEOTECHNICAL FIRM INFORMATION

Name of Firm Supplying Inspector: \_\_\_\_\_

Contact Name & Phone Number: \_\_\_\_\_

This license/permit/lease agreement shall in all circumstances, regardless of any other potential action in law, maintain the City's public property in the City's rightful and legal ownership and possession for all times and the licensee/permittee/lessor accepts, acknowledges, and agrees to the City's sole rights in its public property and agrees to always accept and never interfere with the City's rights in its public property.

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Attachments: Signed Right of Way Affidavit

Copy of Insurance Certificate (Naming City of Birmingham as Additionally Insured)

Special Conditions: **You must contact the following departments at least 24 hours before the work is scheduled to begin.**

Department of Public Services: **248-530-1700**

Fire Department: **248-530-1900**

Police Department: **248-530-1870**

Engineering: **248-530-1850**

Approved By: \_\_\_\_\_ Date: \_\_\_\_\_

**RIGHT-OF-WAY AFFIDAVIT**  
**REQUIREMENTS FOR WATER/SEWER & OTHER WORK IN THE RIGHT-OF-WAY**

**A. Water / Sewer**

1. **Water services only:** The City or applicant's qualified contractor will make water main taps in a single trench only.
  - a. If the service is 2" or less, standard scheduled fees apply.
  - b. If the service is 4" or larger, an estimate is requested and prepared by DPS. The contractor will be notified of the price and the fee must be paid prior to work starting.
  - c. A trench maintenance fee of \$2,250 will be charged from the City's schedule of fees. The fee assumes a maximum 4-foot wide saw-cut trench. Any damage to the street in excess of 4 feet will be charged in multiples of the original fee (for example an 8 foot wide trench would be double the original fee).
  - d. An all-brass tapping saddle (or clamps on repairs) and valve must be used on all water taps.
  - e. Type K copper is required for all water services 2" or less in the right-of-way, unless otherwise approved by the City.
  - f. A #95E cast iron curb box or gate box must be used. Curb box is to be placed on the property line (normally 12" back of sidewalk) unless specific approval of change is authorized by the city.
  - g. A contractor shall not shut down any water main without the expressed permission of the City. Doing so is a violation of the permit and may subject the permit holder to additional charges and/or penalties.
  - h. Qualified contractor is completing, the following required:
    1. **All necessary supplies must be on site prior to the start of any digging** in the City right-of-way. Failure to do so may result in the City inspector shutting down the job.
    2. Contractors closing the road must have prior approval. The City requires the placement of road closed signs (if closing the road) or road work ahead signs at the end of each block prior to starting any work in the City right-of way. Contractor must call the Birmingham Police Department at **248-530-1870** and the Birmingham Fire Department at **248-530-1900** to notify them that the road will be closed at the address of the work being performed and called back open when the work is completed.
    3. A \$1000 refundable deposit will be charged to ensure the contractor completes the project at no expense to the City. Any extra costs incurred including those noted above will be charged against this deposit prior to refunding any remaining monies.
    4. The contractor must take out a "Right-of-Way" permit from the Engineering Department for any work within the street right-of-way. The contractor must meet insurance requirements established by the City and must submit a current certificate of coverage. The permit fee is \$100.
    5. A City inspector must be on site at the time taps are made. A minimum notice of 24 hours must be given to the DPS to allow proper scheduling of the inspection. Call 248-530-1709 to schedule this inspection. DPS will refuse inspection if 24 hour notice is not provided.
    6. From April 15 to October 15, the contractor or the contractor's agent may elect to make permanent repairs to the right-of-way in the areas that were damaged. Repairs shall match the existing pavement cross-section, or no less than 3 inches of asphalt on the City's cape seal streets. The repair work shall be inspected by the City, and completed as soon as possible after the backfill has been accepted.
    7. Upon acceptance of the permanent repair by the City, the \$2,250 or \$4,500 Trench Maintenance Fee shall be refunded. No additional inspection fee shall be charged for this work.
    8. The contractor or the contractor's agent is responsible for all grass restoration and for all temporary trench repairs until accepted by the City.
    9. A contractor shall not shut down any water main without the expressed permission of the City. Doing so is a violation of the permit and may subject the permit holder to additional charges and/or penalties.

2. **Sewer services only:** The City will not make sewer service installations. The owner applicant is responsible for engaging a qualified contractor to do this work, including the portion in the right-of-way.
- a. An inspection fee of \$400 per tap will be charged. The fee covers the cost of a DPS standard eight-hour day between the hours of 7:00am and 3:15pm. Time in excess of standard working hours will be charged at the cost for one City inspector at the overtime rate. If work is required on the second or subsequent days, costs will be charged at the City hourly rate for one inspector.
  - b. A trench maintenance fee of \$2,250 will be charged from the City's schedule of fees. The fee assumes a maximum 4-foot wide saw-cut trench. Any damage to the street in excess of 4 feet will be charged in multiples of the original fee (for example an 8 foot wide trench would be double the original fee).
  - c. The applicant or owner of the project shall hire a geotechnical inspection firm to provide a competent testing inspector that shall be present at the job during the entire backfill operation. The testing inspector shall be prepared to develop a maximum density on the backfill material. The contractor shall backfill the trench in maximum 12 inch lifts, at which time a density test shall be taken to ensure 95% or greater compaction. A copy of written documentation of the inspection shall be emailed to Charles Markus, cmarkus@bhamgov.org, prior to the release of up to \$1,000 deposit noted in paragraph G. below. At the time of application, the applicant shall provide the company supplying the testing inspector, a contact name, and contact information for the inspection firm.
  - d. The City requires 6" Schedule 40 or SDR 26 PVC sewer pipe in the right-of-way. All mains must be core-tapped, and taps must be installed with a Romac, Fernco, or Twistee® tapping saddle. Kor-N-Tee® products are only permitted on sewers 18" in diameter or larger.
  - e. The contractor shall install the sewer on a minimum 3 inch bedding of 6A stone. The pipe shall also be backfilled with 6A stone to a minimum of 6 inches above the top of the pipe. The stone layer shall be followed with sand backfill in the City right-of-way. The contractor is responsible to place 6 inches of gravel and 3" of compacted cold mix in the trench within the street and sidewalk areas prior to leaving the site.
  - f. **All necessary supplies must be on site prior to the start of any digging** in the City right-of-way. Failure to do so may result in the City inspector shutting down the job.
  - g. Contractors closing the road must have prior approval. The City requires the placement of road closed signs (if closing the road) or road work ahead signs at the end of each block prior to starting any work in the City right-of-way. Contractor must call the Birmingham Police Department at **248-530-1870** and the Birmingham Fire Department at **248-530-1900** to notify them that the road will be closed at the address of the work being performed and called back open when the work is completed.
  - h. A \$1000 refundable deposit will be charged to ensure the contractor completes the project at no expense to the City. Any extra costs incurred including those noted above will be charged against this deposit prior to refunding any remaining monies.
  - i. The contractor must take out a "Right-of-Way" permit from the Engineering Department for any work within the street right-of-way. The contractor must meet insurance requirements established by the City and must submit a current certificate of coverage. The permit fee is \$100.
  - j. A City inspector must be on site at the time taps are made. A minimum notice of 24 hours must be given to the DPS to allow proper scheduling of the inspection. Call **248-530-1709** to schedule this inspection. DPS will refuse inspection if 24 hour notice is not provided.
  - k. From April 15 to October 15, the contractor or the contractor's agent may elect to make permanent repairs to the right-of-way in the areas that were damaged. Repairs shall match the existing pavement cross-section, or no less than 3 inches of asphalt on the City's cape seal streets. The repair work shall be inspected by the City, and completed as soon as possible after the backfill has been accepted.
  - l. Upon acceptance of the permanent repair by the City, the \$2,250 or \$4,500 Trench Maintenance Fee shall be refunded. No additional inspection fee shall be charged for this work.
  - m. The contractor or the contractor's agent is responsible for all grass restoration and for all temporary trench repairs until accepted by the City.

**3. Sewer and water combined trench connections:** If the contractor is completing both water and sewer connections, the following applies:

- a. All paragraphs above apply, exceptions are as follows.
  - i. All fees and comments noted above for water and sewer work will apply here as well, except that only one \$1,000 deposit will be charged.
  - ii. An "inspection" fee of \$400 is charged for each tap (water and sewer).
  - iii. Only one "Right-of-way" permit is required.

**Other notes:**

- a. A sewer guarantee (if any) is through private arrangements between the contractor and homeowner but should, for the homeowners benefit if granted, include the portion within the right-of-way. The City is not involved in establishment of this "guarantee" nor shall it be obligated in any way for any agreements or guarantees between the parties.
- b. Work inspection by DPS will include right-of-way and taps on City mains only. Work on private property will require a separate plumbing permit and separate inspection from the Community Development Department.

**B. Utility / Soil Borings / Monitoring Wells**

- 1. Unless otherwise specified, all materials shall conform to the latest edition of standard specifications for construction, adopted by the Michigan Department of Transportation.
- 2. Any concrete mixture supplied shall conform to the requirements of the Requirements for Resistance to Alkali-Silica Reactivity (ASR).
- 3. Pavement repairs shall match the existing cross-section, or no less than 3 inches of asphalt on the City's cap seal streets.
- 4. The applicant or owner of the project shall hire a geotechnical inspection firm to provide a competent inspector that shall be present at the job during the entire backfill operations. The testing inspector shall be prepared to develop a maximum density on the backfill materials. The contractor shall backfill the trench in maximum 12 inch lifts at with time a density test shall be taken to ensure 95% or greater compaction. A copy of written documentation of testing inspection shall be provided by email to Chris Morton, [cmorton@bhamgov.org](mailto:cmorton@bhamgov.org). At the time of application the applicant shall provide the company supplying the testing inspector, a contact name, and contact information.
- 5. During construction, the contractor shall protect all adjacent sidewalks, pavement, curb and gutter, driveway approaches, and lawn areas from damage. Any adjacent structure that is damaged by the contractor during construction shall be replaced by the contractor.

I have read and understand the City's policy as outlined above:

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Date: \_\_\_\_\_