

**GENERAL RULES AND REGULATIONS
FOR CITY CHAPTER 903**

DEPARTMENT OF PUBLIC SERVICE
CITY OF COLUMBUS, OHIO

SUBJECT: EXCAVATION AND OCCUPANCY PERMITS IN THE PUBLIC RIGHT-OF-WAY

EFFECTIVE DATE: January 7, 2019

RULE:

All public service agencies, companies, corporations, utility companies, and individuals wishing to dig into, under, open holes, ditches, or trenches in any sidewalk, roadway pavement, or public right-of-way or to occupy the right-of-way of any street, alley, or public way of the City of Columbus for any purpose defined under City Code chapter 903 shall obtain the prior consent of the Director of Public Service and/or their designee. Such consent shall be obtained in writing as set forth in the rules of this regulation.

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1. General Provisions:

1.1 Authority: Chapter 903 of the Columbus City Code, 1959, requires any person or agency desiring to excavate in or to occupy Public Right-of-Way for any construction related purpose to obtain a permit. Section 903.02 of the Columbus City Code authorizes the Director of Public Service to promulgate reasonable rules and regulations to carry out the provision of this Chapter. The Director of Public Service has designated the Administrator of Infrastructure Management to enforce these rules and regulations. Therefore, permits to excavate or to occupy the right of way for construction related purposes shall be submitted to, and approved by the Administrator of Infrastructure Management in accordance with the provisions of these rules and regulations. Permits are non-transferable.

1.1.1 Per Chapter 121.05 of the Columbus City Charter, these rules and regulations are to become effective immediately as temporary rules and regulations and shall remain in effect for a period of thirty (30) days after being filed with the city clerk.

1.1.2 Per Chapter 121.05 of the Columbus City Charter, after filing of these rules and regulations with the city clerk to establish them as temporary rules and regulations, these rules and regulations are being published in the City Bulletin prior to the thirty (30) day temporary period expiring and shall remain in effect until amended or repealed.

1.2 Type of Permits: There are two categories of permits covered by these rules and regulations: excavation and occupancy.

1.2.1 Excavation Permits: This category of permit shall be requested when excavating within the right-of-way of any public street or alley. The work covered by this permit includes excavations in street or alley pavement, sidewalk or driveway, or the non-paved area within the right-of-way for any purpose whatsoever.

1.2.2 Occupancy Permits: This category of permit shall be requested when it is necessary to occupy the right-of-way of any public street or alley for a purpose related to construction activity. Examples include working on or in any roadway appurtenance, or work on or in buildings or properties outside the right-of-way.

When a permit is issued for a block party, special event, parade, or other event, items within and outside of the permit area may require additional permits for items to be temporarily constructed within road rights-of-way in support of the event.

1.3 Restrictions on Issuing Permits: Permits will not be issued within High Impact Areas when the purpose is vehicle storage on City right-of-way. It is the responsibility of the applicant to store vehicles off-street, or at unreserved long term meters per the City's On-Street Parking out of Service Policy. Occupancy permits are intended for commercial vehicles only. Occupancy permits shall only be issued for the purpose of work within the public right-of-way and activities associated with the adjacent private property by the adjacent property owner or their agent.

1.3.1 High Impact Areas: For purposes of this regulation, High Impact Areas are defined below:

- (Downtown Business District)
- Major Construction Areas
- Arterial Streets (Arterial Streets are those listed on the City of Columbus Thoroughfare Plan)

1.4 Application, Review and Approval: Requests for excavation or occupancy permits shall be made through the Administrator of Infrastructure Management. All requests shall be on forms approved by the Administrator and shall conform to Section 2 of these regulations. No work may begin, or occupancy occurs, until a permit has been issued, except as provided within Section 5 of these regulations.

1.4.1 Excavation Permits: Requests to dig, open holes, ditches, bore, or trenches in the sidewalk, roadway or right-of-way of any improved or unimproved street, alley, or public way shall be obtained at least 10 working days in advance of proposed excavation. Review times vary based on the complexity of the project and adequate review time must be considered in the applicant's schedule. The permit office can assist any applicant in determining the extent of the review needed and the time required. Complex reviews can take up to twenty (20) days by City Staff (this does not include any time the applicant has the plans in their possession for revisions). Subsequent reviews can take up to ten (10) days each. The permit request shall include plan, details, and specifications as set forth in Sections 2 and 3 of these regulations.

1.4.2 Occupancy Permits: Requests to occupy or barricade the right-of-way of any improved or unimproved street, alley or public way shall be submitted at least three (3) working days in advance. When the permit is for a full street closure, permit request shall be submitted at least ten (10) working days in advance.

When a full street closure is for a major planned event, the submittal shall be twenty (20) working days in advance.

1.4.3 Review of Plans: Plans shall be routed for review and approval as set forth in the Right of Way Plan Routing Manual. A copy of this publication may be obtained at the Public Service permit desk.

1.4.4 Issuance: A permit shall be issued after a permit application has been reviewed and approved as required above, and the applicant has notified the Department of Public Service of a scheduled start date.

1.5 Length of Permit: Permits will be issued only for the time necessary to perform the work. Every effort must be made by the permittee to minimize the amount of time of traffic restrictions or meters out of service when no work occurs. The City has the right to remove meter or lane restrictions left in place three (3) days with no work occurring. Permits issued for less than thirty (30) days may be extended once for a short duration subject to a re-issue fee specified in Section 7.3.

1.6 Liability: The issuance of an Excavation or Occupancy Permit does not relieve the agency or agent requesting the permit from liability for any damage that might occur to the roadway, or any public, or personal property while performing work authorized by the permit.

2. Form of Application or Request for Permit. Excavation or Occupancy Permit requests shall contain but not be limited to the following information:

- Name of applicant or agent making request.
- Address of applicant or agent.
- Contact name and phone number (a 24-hour emergency number is needed if not the same).
- Location of work - be specific, provide street name and specify limits (house number as applicable); lane requirements, sidewalk, etc.
- Size of trench (width/length/depth).
- How long is permit needed
- Proposed work hours if applicable, state if a complete closure is desired.
- Purpose of request (Utility placement, working in roadway structure, working on or in a building, etc.), provide address when appropriate.
- When work is to begin and completion date (required to issue permit).
- Traffic control requirements (full closure, number and location of lanes to be closed, etc.), provide adequate maintenance of traffic notes.
- Plans are required by Section 3.
- Parking Meter Numbers, for all meters the applicant would like reserved, or taken out of service for specified duration during the performance of their work (see Section 11).

3. Permit Plans: Whenever construction is to be performed within the right-of-way (excluding service line repair), the permit application shall be accompanied by fully approved plans. The plans shall be of suitable size and clarity to show the nature of the work to be performed. Such plans shall show all existing City utilities and topographic features. The City utilities shall be shown on the plans as to horizontal and vertical alignment based upon an actual field inspection and a diligent search of City records for the same. All conflicts with any City facility shall be resolved to the satisfaction of the owner Division. The applicant should refer to the right of way plan routing manual for more information.

4. Restoration: Whenever any person or agency has the authority to excavate in any sidewalk, roadway or right-of-way of any improved or unimproved street, alley or public way the person or agency causing such excavation shall be required to return, in accordance with current City standards, the right-of-way to the same quality condition it was prior to the excavation or restore the same in such a manner and by such time as required by the Director of Public Service and/or their designee.

Restoration of any sidewalk, curb, street pavement, etc. shall occur no later than 14 calendar days after the conclusion of any utility repair or installation activity unless expressly authorized otherwise by the Director of Public Service and/or their designee. Construction activity completed from December through April shall be permanently restored no later than May 31st. After May 31st, non-compliance with this required restoration work shall be considered a violation of this policy. Additional permits shall not be issued to the permittee until the violations are corrected to the satisfaction of the Director of Public Service and/or their designee. In addition, each violation may be dealt with in accordance with Section 903.99 of the Columbus City Code.

Permanent repairs to any roadway cut for the purpose of installing, extending or repairing any utility wire, conduit, or any other repair shall be made in accordance with Department of Public Service Standard Drawing 1441 A, or other suitable means conforming to current City specifications and approved by the Director of Public Service and/or their designee.

Standard Drawing 1441 A has been developed to provide specifications on long pavement cuts, small pavement repairs, and other minor repair work within the right-of-way. Whenever a pavement cut area exceeds the nominal size of 8 feet in width and 100 feet in length, the plans shall provide the method of pavement replacement in accordance with current City standard specifications and are subject to review and approval by the Director of Public Service and/or their designee.

Per Standard Drawing 1441 A whenever a trench is contained within a travel lane and the trench exceeds 100 feet in length the repair shall include milling the full lane width. Where the excavation trench encroaches into more than one lane of traffic, each lane shall be milled and repaved the entire length of the excavation or street block as directed by the Director of Public Service and/or their designee.

Temporary brick street repairs are to be performed in conformance with Standard Drawing 1441 A, Special Note "F", which allow a temporary material placed until permanent restoration can be completed. Temporary material is not to be used without prior approval from the Department of Public Service. Temporary material is not allowed over a period of fourteen (14) calendar days unless prior approval from the Department of Public Service. All street bricks that are excavated shall be salvaged intact. The sawing of existing bricks shall not be permitted. Bricks must be removed whole. Bricks not used in pavement restoration shall be cleaned, stacked on pallets, and delivered to the City's Operation Center, located at 1850 East Twenty-Fifth Avenue. (614) 645-8120. Any bricks that are not delivered shall be charged to the applicant at a rate pre-determined by the Director of Public Service and/or their designee or through forfeiture of deposits.

All trenches within the road right-of-way shall be backfilled and temporary pavement applied or securely plated. Item No. 304 material, CDF (control density fill) and / or millings shall not be permitted to be used as temporary pavement on major arterial, collector, or high volume roadways. With the approval of the Director of Public Service and/or their designee, the Temporary Traffic Control Coordinator (645-6269) and / or the Permit Supervisor (645-3039) properly compacted Item No. 304 may be used as temporary fill on residential streets and alleys between intersections. Intersections shall have temporary pavement applied for a maximum of 5 working days.

5. Emergency Repairs: When any public agency, or any private utility company or corporation must excavate within road rights-of-way in order to make emergency repairs necessary for the safety and health of the public, the same shall request a permit no later than the following working day. All permanent repairs shall conform to Section 4 of this policy.

6. Inspection: Inspection of work performed under these permits shall be done by personnel of Department of Public Service. The permittee shall call the telephone number indicated on the permit at least 4 hours before any needed inspection. Any authorized excavation work shall be inspected.

6.1. Inspections: Call the City of Columbus's Division of Infrastructure Management's Permit Section at (614) 645-7497

6.2. Backfill: Call before backfill operation begins. Approval needed to start backfill. (4 hrs. notice)

6.3. Sidewalk, driveway or curb: Form work installation inspection required before placement of material.

6.4. Final Inspection: When all work is complete. Upon a successful final inspection, deposits will be processed and returned to the permit holder.

6.5 Final Inspection: When all work is complete. Upon a successful final inspection, deposits will be processed and returned to the permit holder.

7 Inspection Fees and Deposit Costs: All private companies, corporations or individuals shall pay, at the time of permit application, a fee as set forth below to cover the administrative costs of issuing the permit(s) and performing the required inspection(s). It is the responsibility of the permit holder to request inspections. Failure to obtain an inspection will result in requiring re-excavation of the location and replacement with approved materials in the presence of proper inspection personnel. In addition, this action may result in the forfeiture of 100% of all deposits, bonds and fees on account.

7.1 Street Excavation Deposit: A street excavation deposit shall be required for all roadway excavations when the pavement is open cut. The deposit shall be a minimum of \$800.00 for an open cut area of three square yards or less. For cuts larger than three square yards the deposit shall be \$250.00 per square yard of pavement to be cut. The street excavation deposit shall be refunded if the repair work is inspected and completed in a manner satisfactory to the Director of Public Service and/or their designee.

7.2 Additional Deposits: If, in the opinion of the Director of Public Service and/or their designee, additional inspections are needed due to the use of granular backfill material, or horizontal directional drilling operations, the permittee shall place on deposit sufficient funds necessary to pay for said inspection services in addition to all other deposits and fees associated with the inspection process. Any unused inspection deposits will be refunded once it has been determined that the work has been completed in a satisfactory manner. Sewer TV Inspection Deposit shall be required where Sewer TV inspection is noted by the Division of Sewerage and Drainage on the Permit Plans (see Section 3 for plan requirements). The TV deposit fee shall be determined and paid to the Division of Sewerage and Drainage, located at 910 Dublin Road, Attn: Jacque Kelley (614-645-5824).

7.3 General Permit Fees: There are general fees associated with the issuance of an Excavation or Occupancy permits. Fees are as follows:

- Emergency No Parking Signs: \$.50 each
- Application Fee: \$100.00
- Inspection Fee: \$75 per hour
- Reissued Permits: \$50
- Parking Meter Charges: See Section 11
- Shared Mobility Devices: \$75 per unit. See Section 18.
- Small Cell Tower non city poles only: \$250 each unit.
- Parking Meter Head Removal/Re-installation Fee: \$60.00 per meter plus daily lost revenue for time meter is out of service. Any parking meters to be hooded on a Sunday or holidays where the parking meters for that day are free, a \$4.00 per meter hooding fee is assessed up to 100 parking meters. Parking meters that require over 100 to be hooded will be charged a hourly rate for the actual cost of hooding each. City observed holidays are: New Year's Day, Martin Luther King Jr. Day, President's Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, and Christmas Day.
- Fee for contractors that failed to obtain a permit (after an inspector or other finds work being done without a permit):
 - Application Fee 24-48 hours after notification of emergency repair: \$200.00
 - Application Fee after 48 hour notice: \$350.00
 - On Demand Fee: \$250.00

Note: Billing of General Fees for all public and private utility companies will require approval from the Director of Public Service and/or their designee.

Projects of a duration requiring multiple inspections will be billed at the \$60 per hour rate. The need for additional inspection will be determined during the plan review process based on the complexity and duration of the project. When an inspector is required to work beyond their normal scheduled hours or weekends, the permittee shall be required to pay any additional inspection cost at an hourly rate. When a Department employee is required to respond to an emergency situation due to neglect of securing a steel plate or other hazardous situation, it will be the responsibility of the permittee to cover the cost of the employee and any material cost to rectify the situation in a safe manner. These costs shall be paid upon receipt of invoice or deducted from the permittee's deposit. Failure to pay these costs may result in the forfeiture of deposit monies or a moratorium on obtaining future permits, or both.

8 Traffic Control: Traffic control devices shall be furnished, erected, maintained, and removed by the permittee in accordance with guidelines published in the manual of “Traffic Control for Construction and Maintenance Operations” current revision. Copies are available at the Ohio Department of Transportation, located at 1980 West Broad Street. In the event of conflicting requirements, any additional maintenance of traffic requirements spelled out in the plans shall take precedence over the above-mentioned manual. Any specific condition attached to the permit by the Temporary Traffic Control Coordinator shall take precedence over both the manual and plan notes.

NOTE: Traffic cones are not permitted as traffic control devices for night work within the City.

9 New Pavement or Re-pavement: No permit will be granted to any person to make any opening in the new pavement or re-pavement of a street or alley, except for the purpose of repairing leaks in pipes, for a period of three years after the completion of such new pavement or re-pavement. When emergency repairs are necessary, the Director of Public Service and/or their designee shall provide details and specifications on how the permanent pavement repairs are to be made per Standard Drawing 1441.

No permit shall be granted to any person to make any opening in hard surface areas (pavement, sidewalks, curbs, etc.) within right-of-way for Special Improved Streets for a period of five (5) years after construction or substantial construction of such hard surface areas. In addition, within right of way of Special Improved Streets, joint use of facilities shall be required so long as there is adequate space available in the existing facilities at reasonable and nondiscriminatory rates. Special Improved streets shall be reviewed and approved by the Director of Public Service and/or their designee upon which hard surface or landscaped improvements have been constructed or proposed to be constructed which are enhanced architecturally, aesthetically and/or structurally compared to standard City specifications for publicly dedicated streets or alleys. The Director of Public Service and/or their designee shall maintain a list of Special Improved Streets together with the beginning and ending dates of the five (5) year period.

10 Option for Pavement Repairs by City Contract: A permittee may elect to perform all or part of the repair work required when making a permitted pavement cut. If the permittee is not able to meet the requirements of this regulation and current City standards and specifications governing repairs to utility cuts, the permittee may opt to have all or part of this work performed by the City. The request for the City to perform any and all restorations shall be given at the time the application is submitted for permit processing. If the work is to be performed by the City, a separate pavement repair fee shall be paid to the City for this work. The amount of this pavement repair fee shall be established by unit prices for the quantity of work to be performed. This money shall be collected at the time the permit is issued, unless billing procedures have been approved by the Director of Public Service and/or their designee. The unit price rates shall be made available in advance for cost estimating purposes. The amount due the City shall be equal to the work planned to be performed.

11 Parking Meters: Whenever the work being performed restricts the use of City parking meters, the agency requesting the permit shall be responsible for paying the daily meter charge for each meter involved. The permit application shall include the meter numbers affected. When the activities require the removal of the meter heads or it is determined by the City that they need to be removed, a meter head removal fee shall also be charged. These fees shall be paid at the time the permit is issued. Parking meter fees charged will be the total daily fee, as if the meter is to be occupied for all enforcement hours.

When an occupancy permit is issued where parking meters have been requested to be bagged, each vehicle using a bagged meter location must have a permit. The original occupancy permit must be visible and in the vehicle using the bagged meter location. All other vehicles within the closure limits will be subject to parking restrictions identical to those of loading zones, which allows 15-minute parking unless actively loading or unloading. Permittee shall comply with the City’s On-Street Parking Out of Service Policy.

12 Steel Roadway Plates: The City requires that all companies, corporations, or individuals placing steel roadway plates in the right-of-way of any street, alley, or public right-of-way shall notify the Department of Public Service. The contractor’s name, employee contact name with a 24-hour emergency telephone number, plate location, number and size of plates, and the approximate number of days planned for placement shall be submitted weekly either by telephone, at (614) 645-7497, or via FAX, at or (614) 645-1876.

The contractor shall also have available sufficient quantity and various sizes of trench plates for their use when needed for protecting and securing trenches opened by the contractor. In the Downtown Business District area, all steel plates shall be a minimum of one inch in thickness. All steel plates shall be secured by using bituminous asphalt material around the perimeter of the plate and shall be a minimum of twenty-four inches wider in width than the actual excavation size, and a minimum of twenty-four inches longer in length than the actual excavation size. Steel plates shall not be left in the roadway for a period to exceed 30 calendar days, unless approved by the Director of Public Service and/or their designee.

NO SPIKES OR PINS ARE PERMITTED TO SECURE A STEEL PLATE

Steel plates shall have the company name etched, engraved, or welded on each plate placed in road right-of-way, face up for identification and be monitored by the permittee to assure plates are secured and have not moved from their trench. Warning signs (COC - 327 (R/L) must be placed in such a way that it does not obstruct motorist or pedestrians, identifying a steel plate is located in the roadway per standard drawing 1441. When steel plates are to be placed on roadways with a posted speed limit of 35 M.P.H. or greater, advanced warning signs (COC - 328) must be placed per standard drawing 1441. Failure to secure a roadway steel plate may result in fines and penalties per City Code, Chapter 903.99.

13 Emergency Phone Number Posting: The permit holder shall post in a conspicuous place at the job site a sign with a 24-hour emergency phone number. This shall be required whenever any travel portion of a lane or a sidewalk is barricaded.

14 Dumpster/Containers: All dumpsters or containers placed within public right-of-way must have an occupancy permit. This regulation does not apply to the trash containers placed by the Refuse Collection Division. Occupancy permits for dumpsters or containers may be issued to the vendor who supplies them or the permittee requesting the use of one. The vendor shall be responsible for providing a dumpster or container in compliance with current City of Columbus regulations. Each dumpster or container shall be equipped with reflectorized hi-intensity barricade tape (minimum 8 inches wide, standard orange and silver). A minimum of two bands each are required for dumpsters or containers less than four feet in height and three bands for dumpsters and containers over four feet in height. Each band shall be spaced evenly around the perimeter of the dumpster or container. The company's name and a 24-hour telephone number shall be placed on each side so that it is clearly visible. A weatherproof 9"x12" plastic envelope shall be affixed to the dumpster or container to provide a means of posting the permit. The permittee shall be responsible for the placement of two lighted barrels. The requirement of such shall be evaluated at the time of permit application or when a hazard develops.

If a permit is only for a dumpster or container to be placed in the right of way and not part of a larger construction project, it shall be limited to a seven (7) day period unless approved in advance as part of the permit process.

If a dumpster or container is to occupy an actual parking meter space, the fee(s) for that particular meter shall be charged in place. (See Section 11).

15 Special Duty Police Officers: When required by the permit, or if required by the City Service or Safety Director, the permittee shall be responsible for hiring and paying for the services of Uniformed Special Duty Police Officers. Police officers shall be required at all times when working within a signalized crosswalk and for controlling traffic in a 2-way 1-lane traffic pattern as determined by the Director. The City of Columbus will determine the number of officers required. An officer may be obtained by calling (614) 645-4795 and obtain the "Guidelines for Supervising Special Duty Police Officers", issued by the Chief of Police.

16 Penalty: Whoever violates any provision of this policy shall be deemed guilty of a first degree misdemeanor and fined not exceeding one thousand dollars (\$1,000.00), or imprisoned for not more than six months, or both. Any such violation shall constitute a separate offense on each successive day continued, in accordance with Columbus City Code, Section 903.99.

17 Right to Decline: The City of Columbus reserves the right to decline additional permits to a previous permit holder for other projects if a violation exists. No permit shall be issued until the violations are corrected to the satisfaction of the Division of Infrastructure Management Administrator or designee.

The City may limit the approved use of the right of way at any time due to unforeseen operational circumstances, but shall make every reasonable effort to alleviate the effects of any such limitation.

18 Shared Mobility Devices (SMD) means small mobility devices, such as bicycles, scooters, or other similar mobility device as determined by the Director of Public Service, including electronic versions thereof, that are offered for short term rental to subscribers on a minute, hourly, or daily basis for a fee for short distance travel. The fee shall include, but shall not be limited to, per trip, per time period, or on a subscription basis.

BY ORDER:

JENNIFER GALLAGHER, DIRECTOR
DEPARTMENT OF PUBLIC SERVICE