



Right-of-Way Utilization Permit

Please complete a separate application for each roadway
Roadways under Lake County's jurisdiction require separate permitting through Lake County Public Works

Date: _____

Business / Applicant's Name: _____

ALT Key No.(s) _____

Applicant's Street Address _____

Project Road Name _____

Applicant's City, State, Zip _____

Subdivision and/or Site Plan Name (if applicable) _____

Applicant's Telephone Number _____

Applicant's e-mail address _____

If this project will result in any new above-ground structures, poles or facilities, please state where and what is proposed. Applicant may be requested to provide an engineer's certification that roadway clearance and sight distances have been met.

Description and Location of Work:

Singular Parcel Application Linear Project Application

If linear, what is the project cost? _____

Contractor: _____

Telephone Number: _____

Construction Start Date: _____

Construction duration: _____ days

Applicant declares that he/she has determined the location of all existing underground and aerial utilities. Applicant declares that he/she has read the attached application requirements and permit conditions.

Signature of Applicant _____

Applicant (Print Name) _____

To be Completed by Town Staff

Permit # _____ Permit Fee: _____ Expiration Date: _____
Paid Date Rec'd By

Special Conditions: _____

APPROVED BY: Town Clerk: _____ Town Attorney: _____

Town Planner: _____ Public Works Director: _____

*For inspection, call the Montverde Town Hall at 407-469-2681
Submit Permit to: 17404 Sixth Street, Montverde. The mailing address is P.O. Box 560008, Montverde, FL 34756*



ROW Utilization Permit Requirements

The purpose of the Right-of-Way Utilization permit is to control the use of public rights-of-way and public easements and protect the health, safety and welfare of the public. Any work within public rights-of-way requires an approved right-of-way utilization permit.

Application Requirements: For each road involved, please submit two (2) hard copies, and one (1) digital copy of the application and supporting documentation to the Montverde Town Hall.

Completed applications must include a sketch or construction plans drawn to scale, showing the following:

1. The offset from the centerline of the right-of-way or roadway to the proposed utility installation, the road right-of-way width and pavement width, the distance from the edge of pavement to the utility, sidewalks, and the location of all other utilities, including traffic signal utilities, within the area of work.
2. One or more typical cross sections to adequately reflect the location of the utility. Please indicate the minimum vertical clearance above or below the pavement or natural ground.
3. The location of the area of work in relation to the nearest road intersection, bridges, railroad crossings, and other physical features. Please include a location or vicinity map showing the general location of the installation.

All permit applications must demonstrate that the proposed improvements conform to the right-of-way utilization requirements included in the Montverde Land Development Code. Projects of significant length and land size may require a complete right-of-way survey.

A performance bond or irrevocable letter of credit may be required of the applicant in the event the work covered by the right-of-way utilization permit has the potential to significantly damage the right-of-way. The security instrument shall comply with the applicable provisions of the Florida Statutes for public construction bonds and shall be in a form acceptable to the Town Attorney. The security instrument shall be made payable to the Town of Montverde in the amount of one hundred ten (110%) of estimated cost to repair such damage, as determined by the Town, and shall remain in effect until the work covered by the right-of-way utilization permit has been completed and accepted by the Town.

Prior to construction, applicant shall provide written notice to all property owners adjacent to the project limits. This notice shall include, at a minimum, the anticipated construction schedule, maintenance of traffic plan and any impacts, permanent or temporary, to the adjacent properties. The notice must provide contact information including the name and telephone number of the project manager. Within a minimum of fourteen (14) calendar days prior to construction, applicant shall provide to the Town a copy of the notification with a list of the parties notified.

A copy of the approved permit and related supporting documents shall be on site at all times during construction.

Permit Conditions: Whenever necessary for the construction, maintenance, operation or alteration of the right-of-way, as determined by the Town, any or all of the appurtenances authorized by this permit shall be immediately removed from the right-of-way or relocated, as required by the Town, at the expense of the applicant unless reimbursement is specifically authorized.

If above-ground utilities are being replaced, the old utilities and utility appurtenances must be removed from Town right-of-way within thirty (30) days after new utilities are installed. All work, materials and equipment shall meet all Town codes and standards and shall be subject to inspection by the Town. All right-of-way disturbed by this work shall be restored to its original condition or better and in accordance to applicable Town Codes. All disturbed areas must be sodded, matching existing grass type. Bahia sod shall be used if no grass is present at time of construction.

The construction and maintenance of this utility shall not interfere with the property and rights of a prior applicant.

Where possible, excavation shall not be allowed within five (5) feet from the edge of the pavement. Situations that cannot meet this requirement shall require prior approval of the Town.

All right-of-way utilization activities shall be reported to Sunshine State One-Call at least seventy-two (72) hours prior to commencement. The Town shall be notified twenty-four (24) hours in advance of starting work. In the interest of public safety all operations shall take place during daylight hours, unless specifically authorized, and discontinued by sunset with

proper signage and traffic control devices maintained during off hours. All traffic detours shall be restricted to the limits of right-of-way with necessary flagmen and marking devices. A traffic detour or lane closure shall require specific approval by the County.

The Town shall not be responsible for damages to any structure placed within the right-of-way. All structures shall be properly maintained, adequately visible or properly delineated to prevent damage due to normal maintenance of the right-of-way. Open cuts of roads will not be allowed unless specifically authorized by the Town. Directional bore or jack and bore operations should maintain a five (5) foot minimum clearance from edge of pavement on road crossing each side. Recommended bore depth is thirty-six inches (36") and a minimum bore depth is thirty inches (30"). Any overhead installations should maintain a minimum of eighteen (18) feet vertical clearance over all roadways and driveways.

This permit is effective for one year from its approval date, unless otherwise rescinded by the Town.

Inspection and Approval of Work: The Town shall have the right to inspect and approve all materials and/or phases of work. Final inspection and acceptance of work by the Town must be obtained to document the completion of the work. All work shall be subject to the construction requirements and inspections as required in other provisions of the Montverde Land Development Code. Pursuant to Section 337.403(1), Florida Statutes, any utility placed upon, under, over, or along any public road or publicly-owned rail corridor that is found by the Town to be unreasonably interfering in any way with the convenient, safe, or continuous use, or maintenance, improvement, extension, or expansion, of such public road or publicly owned rail corridor shall, upon thirty (30) days written notice to the utility or its agent by the Town of Montverde be removed or relocated by such utility at its own expense.

It is agreed that in the event the installation, adjustment or relocation of said utilities are scheduled to be done simultaneously with Town construction work, the applicant shall coordinate with Montverde Public Works Department before proceeding and shall cooperate with the Town's contractor to arrange the sequence of work so as not to delay the work of the Town contractor. The applicant shall not be responsible for delay beyond its control.

Guarantee and Responsibility for Compliance: In the case of noncompliance with the Town's requirements, this permit will be void and the facility will be brought into compliance or removed from the right-of-way at no cost to the Town. The Town may issue "Stop Work" order(s) upon any permittee committing or creating an unsafe act which may create a public hazard or who is not complying with this permit or the applicable codes. The order shall remain in effect until such time as these matters are corrected.

Permits shall be issued with the understanding that the applicant shall guarantee all work performed under the terms of the permit for a period of one (1) year from the date of final inspection and acceptance of work. Any failures shall be repaired by the applicant, at the direction of the Town, within five (5) days, unless the urgency of the problem requires a quicker reaction time. The applicant shall be responsible for all repair costs incurred due to damages to existing utilities by failure to use due care, including errors in locating existing utilities during construction.

Removal/Relocation of Improvements: Upon ten (10) days written notice, the applicant shall be required to remove and/or relocate the improvements placed within the right-of-way at the applicant's sole expense. It is expressly stipulated that this permit is a license for permissive use only and that the placing of facilities upon public property pursuant to this permit shall not operate to create or vest any property right in said holder.

It is understood and agreed that the rights and privileges herein set out are granted only to the extent of the Town's right, title, and interest in the land to be entered upon and used by the holder; and the holder will, at all times, assume all risk and indemnify, defend, and save harmless the Town of Montverde from and against any and all loss, damage, cost, or expense arising in any manner on account of the exercise or attempted exercises by said holder of the aforesaid rights and privileges.

I have read and understand the above requirements

Applicant's Signature/Date