

## **GUIDELINES AND PROCEDURES FOR RIGHT-OF-WAY**

All registered right-of-way contractors will be subject to an annual review. In order to remain on the City of Winona active Right-of-Way Contractor Listing, you must have on file with the city a current certificate of liability insurance and a bond.

**PERMITS:** Right-of-Way Permits are required **before** you begin any work in the City's right-of-way and **must be displayed on the job site**. Failure to obtain required permits is a direct violation of City code and may be cause for suspension of your registration certificate. In a non-emergency situation, any person who, without first having obtained the necessary permit, excavates a right-of-way must obtain a permit, and as a penalty pay double the normal fee for said permit.

**FEES:** The fees associated with the Right-of-Way Permit are indicated on the application form. As an alternative to stopping in our office, you can mail or fax these applications to us. However, if the permit is for work being performed that day, you will need to pick the permit up at the Engineering Office prior to starting the job. Payment must accompany the application for permit, unless you have a charge account with the City of Winona. If you have not already done so, you might want to set up a charge account in which the Finance Dept. will invoice all permit activity and send a monthly statement to you.

**EMERGENCY:** Means a condition that (1) poses a danger to life or health, or of a significant loss of property; or (2) requires immediate repair or replacement of facilities in order to restore service to a customer.

**HOLE EXCAVATION RESPONSIBILITY:** (As of 1/1/2003)

Any person or persons who excavate in city right-of-way, which means any hole dug in boulevard, streets, alleys, cartways, easements, seal coated streets, etc., must put temporary patch in at time such utility hole is filled in. A permit is required prior to digging in the right-of-way. The contractor will have 90 days from the date of issuance of the right-of-way permit to put permanent patch in place at their expense.

Concrete pavement must be replaced with concrete. Asphalt and sealcoat pavement is to be replaced with hot mix asphalt. Aggregate is to be replaced with aggregate. All other surfaces to be replaced with topsoil and seeded.

Utility permits issued between October 15<sup>th</sup> and April 1<sup>st</sup> will be required to have permanent patch in place no later than May 31<sup>st</sup>. Any settling of the permanent patch within 1 year of inspection will be required to be redone at the contractor's expense. Prior to the city contracting for repair, the permittee will be notified and given the opportunity to correct.

Utilities which the city repairs on a contractual basis will be subject to an administration fee of 2% of contract cost. This is to cover billing costs.