



Town of Purcellville
Engineering, Planning &
Development

221 S. Nursery Ave., Purcellville, VA 20132
PH: 540-338-5024 – FAX 540-338-6205

Permit #

RIGHT OF WAY PERMIT APPLICATION

Revised September 22, 2022

Application must be made through the Engineering, Planning & Development Department at 221 S. Nursery Ave., Purcellville, VA 20132. A properly executed Permit Application Fee, Certificate of Insurance and Performance Guarantee if required, in an amount to be determined by the Director of Engineering, Planning & Development or his/her designee, must be submitted before a permit can be issued. Notify the Engineering, Planning & Development Department in writing when the work is completed.

Applicant Name _____ Applicant Phone _____

Company _____ Email Address _____

Applicant Address _____

24 hour Emergency Contact _____

Contractor Company Name _____ Contractor's Phone _____

Contractor's Address _____

Contractor's Email _____ Contractor's License No. _____

Location of work: _____

Description of work: _____

Application is hereby made for a permit to perform the work as shown on the accompanying plan or sketch attached hereto. Said work will be done under and in accordance with the rules and regulations of the Town of Purcellville, so far as said rules are applicable thereto and any other agreement between the parties hereto. Where applicable, said agreement shall be attached and made a part of this permit assembly including any cost responsibilities covering work under permit. Applicant agrees to maintain the work from the time to completion until final inspection for acceptance is made by the Town of Purcellville. Applicant also hereby agrees and is bound and held responsible to the owner of any and all existing facilities for any and all damages to any other installations already in place as a result of work covered by this permit. Applicant shall indemnify and hold harmless the Town of Purcellville and all town employees, agents, and officers from responsibility, damage, or liability arising from the exercise of the privileges granted in this permit. In consideration of the issuance of this permit, the Permittee agrees to waive for itself, successors, interest or assign any entitlements it may otherwise have to have hereafter under the Uniform Relocation and Assistance Act of 1972 as amended in the event the town or its successor chooses to exercise its acknowledged right to demand or cause the removal of any or all fixtures or whatever kind or description that may

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hereafter be located pursuant to this permit.

Each applicant must be aware that all permits issued by the Town of Purcellville are generally considered to be perpetual and for a specific purpose even in cases where the Town will assume maintenance responsibilities for the permitted work and regardless of whether the bond securing satisfactory completion is released. Upon discovery that a permit was issued under false pretenses or that a permit has been issued for one purpose is being used for a different purpose, that permit is subject to revocation.

A \$100 nonrefundable application fee shall be charged to offset the cost of reviewing and processing the permit application and inspecting the project work. If a permit is cancelled prior to the beginning of work, the application fee and one-half of the additive fee will be retained as compensation for costs incurred by the Town during plan review.

By this signature, I affirm that the work will be completed as described.

Signature of Applicant

Date

STAFF USE ONLY:

Permission is hereby given insofar as the Town of Purcellville has the right, power, and authority under Section 16-4 of the Town Code 1950, as amended to perform the work as described in the application, and as shown on the accompanying plan or sketch. All work is to be completed in accordance with the requirements of the Town of Purcellville within 1 year from the date of this permit. If not completed, the Town may at its discretion, complete the work at the expense of the applicant. By accepting this permit, Permittee hereby agrees to accept all charges for work performed under this condition. The Town of Purcellville reserves full municipal control over the subject matter of this permit.

Signed/Dated in Purcellville, Virginia by: _____,
Engineering, Planning & Development Department Date

Permit Expires on:

This permit is invalid after the date of expiration and will be canceled unless an extension of time has been requested. An extension of time will not be granted unless work is actually under way. This permit may be extended by notifying the Town in writing, at least 5 days prior to the date of expiration. If the permit expires before work is complete, a \$90.00 reinstatement fee must be paid before final inspection and release can be made. The Town will determine the total permit fees using the fee schedule found in the Town's Ordinances.

Receipt acknowledged in the amount of:

Application Fee: \$ _____
Additional Fees: \$ _____
Performance Guarantee Fee (To be calculated by the Town): \$ _____
Total Permit Fees: \$ _____



Town of Purcellville RIGHT OF WAY PERMIT APPLICATION Provisions and Conditions

Every permit issued is subject to the following conditions:

A. General Requirements:

1. A copy of the approved plans and ROW permit shall be kept on the job site at all times. Purcellville right of way requirements shall take precedence over any conflicting permit requirements. It shall be the permittee's responsibility to obtain any and all necessary permits that may be required by any other government agencies.
2. The Department of Engineering, Planning & Development ("Department") reserves the right to stop the work at any time the terms of this permit are not satisfactorily complied with; and the Department may at its discretion complete any of the work covered in the permit at the expense of the permittee.
3. This permit is revocable at the discretion of the Department and the permittee may be required to change or remove from the right of way in a satisfactory manner any installations under this permit.
4. The permittee shall immediately correct any situation which may arise as a result of these installations that the Department deems hazardous to the travelling public, although it may not be specifically covered in this permit.
5. Any changes to the approved plans will require that a revision be submitted to and approved by the Department prior to any changes being made.
6. No water usage from a fire hydrant for construction purposes will be allowed. Hydrant meters from other jurisdictions are not acceptable.
7. The permittee shall not use any Town property for the overnight or temporary storage of materials or equipment without written consent of the Department. If material and/or equipment must be stored within the Town's streets or right of way, permission must be secured during the permit process.
8. It is the duty of the Department to keep all roads in a safe condition at all times. Therefore, the permit may be denied, revoked, or suspended when, in the opinion of the Department, use or maintenance of the roadway so requires.
9. The permittee is required to notify "Miss Utility" or each operator of underground utility where no notification center exists of any planned excavation. This notification must be provided at least 72 hours- excluding weekends and holidays- before the start of the planned excavation. Failure to carry out this requirement may result in this permit being revoked.
10. Notice shall be given to the Engineering Division of the Department of Engineering, Planning & Development 48 hours prior to beginning the proposed work. Contact Town inspectors in the Engineering, Planning & Development Division at 540-338-5024. If notice is not provided, the contractor may be required to stop work.
11. Virginia Class A Contractors license is required for any work within the Town's right of way. Depending on work type and location a Virginia Class B Contractors license may be allowed with Town approval.
12. Work hours within the Town's ROW are generally restricted to between the hours of 9:30 am to 3:30 pm Monday thru Friday, in accordance with the Town of Purcellville requirements.
13. Permittee acceptance and use of a Town Permit is prima facie evidence that the permittee has read and is fully cognizant of all required permit provisions, applicable traffic control plans and associated construction standards to be employed. All applicants to whom permits are issued

shall at all times indemnify and hold harmless the Town of Purcellville, members of the Council, and the Town of Purcellville employees, agents, and officers, from responsibility, damage, or liability arising from the exercise of the privileges granted in such permit to the extent allowed by law.

14. Permittee agrees to secure and carry insurance against liability for personal injury and property damage that may arise from the work performed under permit and/or from the operation of permitted activity- up to one million (1,000,000) each occurrence to protect the Town Council and Town's agents or employees; seventy-five thousand dollars (75,000) each occurrence to protect the Town Council in event of suit.
15. Applicant shall maintain as-built plans and records of all facilities and equipment in the Town right-of way at the time applicant installs its facilities. Record as-builts shall be submitted to the Town at the completion of the work.

B. General Construction Requirements:

1. All damage to existing roads will be restored to the satisfaction of the Department of Engineering, Planning & Development.
2. Test pit **All** utility crossings in the right of way.
3. The permittee shall provide adequate means of cleaning trucks and/or other equipment of mud before travelling on the Town's right of way. It is the permittee's responsibility to clean streets and alleys of dust and to take whatever measures necessary to ensure the road is maintained in a clean, mud-and-dust free condition.
4. Wherever pavement is permitted to be cut, not over one half the pavement width shall be disturbed at one time; and on crossing, the first opening shall be completely restored to a satisfactory usable condition before the second half can be opened. One lane of traffic must always be maintained at all times. No road closures shall be allowed without prior written approval from the Department.
5. Each pavement cut, if not permanently patched, shall be covered by temporary asphalt patch the same day excavation is made. Trenches are not to be left open overnight. Steel plates, allowed with Department approval only, must be recessed into the pavement and properly pinned. No steel plates will be allowed November 1 to April 1 of each year.
6. Street cuts are to be permanently patched within 7 days of completion of that work.
7. Street intersections and private entrances are to be maintained in an accessible condition at all times. Entrances are not to be blocked, and ample provision must be made for safe ingress and egress to adjacent property at all times. The permit does not allow parking on or use of private property.
8. The permittee is responsible through Performance Surety for correcting any settlement of pavement and trenches for a period of **3 years** after completion of work.
9. No excavated material is to be placed or tracked on the pavement, without permission of the Department. When so permitted, the pavement shall be satisfactorily cleaned by an approved method. No cleated equipment is to be used on the pavement without proper protection to the pavement.
10. Road drainage shall not be blocked. The shoulders, ditches, roadside and drainage facilities, as well as pavement, shall be kept in an operable condition satisfactory to the Department.
11. Any highway signs, right of way markers, etc., disturbed as a result of this work shall be accurately reset by the permittee immediately following the work near the disturbed facility.
12. Upon completion of the work covered by this permit, all disturbed areas within the Town's right of way shall be sodded and restored to their former condition. Seed and Mulch may be considered upon Town approval.
13. This permit does not grant permission to grade onto the property of others or disturb in any way utility poles, pedestals, or other underground facilities.

14. Before any excavation near a signalized intersection, it is the responsibility of the permittee to notify the Town or VDOT and have all signal conduits marked (regardless if Miss Utility has been called). Failure to carry out this requirement may result in the permit being revoked.

C. TRENCHING AND UNDERGROUND CONSTRUCTION REQUIREMENTS:

1. Bore pits are to be placed within the right of way as far as practical from the edge of pavement for primary and secondary roads.
2. It shall be the option of the Engineering, Planning & Development Department to request and review the backfill compaction test results and/or authorize an inspector to monitor compaction at permittee's expense.
3. The trench to be backfilled shall be made as dry as practicable at the time of backfilling by pumping, bailing, draining, or other approved de-watering methods.
4. The Engineering, Planning & Development Department may at its discretion reject backfill material deemed to be unsuitable. All trenches under pavement in the right of way must be backfilled with full depth VDOT 21A gravel.
5. Long open trenches are not permitted. Trenches are not to be left open overnight without Engineering, Planning & Development Department's approval.
6. All backfilling and compaction of trenches shall be in accordance with the specifications outlined in VDOT's Road and Bridge Specifications (current edition). The permittee will be held responsible for any settlement in backfilling of pavement for a period of 3 years after completion of the work.

D. STREET, CURB AND GUTTER, AND SIDEWALK RESTORATION REQUIREMENTS:

1. A smooth grade shall be maintained from the center line of the existing road to the proposed curb and gutter so to preclude the forming of false gutters and/or the ponding of any water on the roadway.
2. All cut sides of the repair patch shall be trimmed to a neat straight line and tack coat shall be applied at a rate of 0.05-0.15 gallon per square yard before placing the plant mix.
3. Permittee will be responsible for any depression $\frac{1}{4}$ " or greater that occurs within three years of completion of patching. Correction shall consist of milling and replacing 1.5" surface course mix (SM).
4. Limit of paving to be determined by the Department before final milling and paving.
5. All temporary patches must be checked daily including weekends to verify condition.
6. All damaged or destroyed pavement markings shall be replaced immediately. Painted markings may be repainted. Thermoplastic or tape must be completely eradicated and replaced with same.
7. Removal of sidewalk and curb and gutter shall be limited to the amount that can be replaced the following day. Working hours shall be between 9:30 am-3:30 pm unless otherwise agreed upon by the Department. Lane closures shall be in accordance with the Virginia Work Area Protection Manual.
8. Operations requiring blocking or removal of sidewalk shall post "Sidewalk Closed" and detour route signs on each end of the work. The work area shall be adequately marked to warn and deter sidewalk users from using the area.
9. 4000 psi plant mix concrete shall be used for curb, gutter, and driveway aprons. 3500 psi plan mix concrete may be used for sidewalks. Mix tickets shall be provided to the inspector, and tests may also be required for slump and compressive strength.
10. Following safety procedures, the contractor shall remove concrete forms and backfill around replacement work within 48 hours of pouring.

E. TRAFFIC CONTROL REQUIREMENTS:

1. All traffic control shall be established in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) and the Virginia Work Area Protection Manual. A copy of these manuals shall be present on the job at all times while working in the public right of way.
2. Work shall be allowed in the right of way between 9:30 a.m. and 3:30 p.m. Monday through Friday. Holiday work restrictions are as follows: there shall be no activity after 12:00 p.m. the previous business day through to 12:00 p.m. on the first business day after the holiday. Exceptions shall only be considered by written requests to the Department.
3. Traffic is not to be blocked or re-routed without special written permission of the Public Works Department. The permittee shall submit a written request along with a diagram of the proposed new traffic pattern to be approved by the Department. All traffic patterns shall be in accordance with the manuals referenced above.
4. All flag men as required shall be properly dressed in accordance with the above referenced manuals, shall be VDOT certified to flag traffic, and shall carry flaggers certification at all times.

F. PROJECT COMPLETION AND CLOSEOUT:

1. Once the project is complete, the applicant will need to call the Town Inspector (540-338-5024) to request a final inspection.
2. As-built drawings are required for projects that install features within the Town's right-of-way.
3. If all work is satisfactory, the Town Inspector will recommend the release of the performance bond.

All work performed under a permit issued by the Town of Purcellville must be performed in accordance with the latest editions of the following as applicable:

1. The Purcellville Town Ordinances
2. The Purcellville Facilities Standard Manual
3. The VDOT Road and Bridge Standards
4. The VDOT Road and Bridge Specifications
5. The Manual on Uniform Traffic Control Devices including the VDOT supplement
6. The VDOT manuals on Planting and Irrigation in the ROW
7. LCSA Standards and Specifications
8. The VDOT Land Use Permit Manual
9. The VA Erosion and Sediment Control Handbook
10. The Virginia Occupational Safety & Health (VOSH) Standards and the Occupational Safety & Health Act (OSHA) Standards for the Construction Industry

SPECIFIC INSTRUCTIONS:

It is imperative that all applications be complete. Please do not turn in an incomplete application. If you are unsure as to how to proceed, please ask Town staff. Submission of an application that is incomplete may result in additional fees being assessed.

APPLICATION FEE: \$100.00 due at the time the Permit Application is submitted. A \$100 nonrefundable application fee shall be charged to offset the cost of reviewing and processing the permit application and inspecting the project work. Additive fees may be applicable in accordance with the Town of Purcellville Master Tax and Fee Schedule adopted in July 2018. If a permit is cancelled prior to the beginning of work, the application fee and one-half of the additive fee will be retained as compensation for costs incurred by the Town during plan review.

APPLICANT INFORMATION: Complete all information. The owner is the entity responsible for completing the work; the responsible party is the contact person for the owner. Provide an address and phone numbers for the responsible party. Some owners have agents act in their behalf. If that is the case provide the same information for the agent.

CONTRACTOR: If there is a contractor, provide the relevant information. Contractor's Class A License number is required on the application. Class B may be considered with Town approval.

DURATION OF WORK: Permits are issued for one year. Additional fees are required for permit extensions.

LOCATION OF WORK: Accurately describe the location of the work to be performed either by station numbers, addresses or distances from fixed points.

DESCRIPTION OF WORK: Succinctly as possible describe the nature of the work to be performed. If you are unsure as to how to word the request attach a note explaining what is proposed and Town staff will fill in this area. Attach two sets of plans or if this request is a result of a larger project provide two sets of the approved plan sheets indicating the area of work. Be sure to include the cover sheet with the approval signatures. Project plans should show (as applicable):

- Location of the work in the right-of-way
- Locations of all water mains, sanitary sewer mains and storm sewers
- Water meters in the proposed construction area
- Profiles and cross sections of the utilities and clearances in the affected area
- Existing and proposed utilities
- Traffic control plan per the Virginia Work Area Protection Manual
- Show test pit locations over all Town utilities
- Show the street right-of-way and property lines
- Show addresses
- Show methods of installation (e.g. jacked, bored, open cut*)
- Certificate of Insurance

*the applicant is required to pave 25 feet on either side of the road cut and replace street markings)

PERFORMANCE GUARANTEE FEE based on ESTIMATED COST OF WORK: A permit fee calculation from the Town's Engineering Division of the Public Works Department will be used to provide a breakdown of the bond amount.

- A standard residential driveway bond amount is \$1000.
- A standard residential pool bond amount is \$1500.
- All other bond amounts will be calculated by the Town during the review process.

At the completion of the review of the application, you will be notified of any additional fees and bond amounts that are required prior to approval. The fee check must be made payable to the Town of Purcellville. The bond may be check, performance or surety bond approved by the Director of Engineering, Planning & Development or his/her designee.

I have reviewed and understand these provisions and conditions, and agree to comply with all requirements for this construction project.

By: _____

Title: _____

Phone: _____

Date: _____