



**CITY OF AKRON
DEPARTMENT OF PUBLIC SERVICE
BUREAU OF PUBLIC WORKS**

**REGULATIONS FOR CONSTRUCTION
AND SPECIAL ACTIVITIES IN
STREET RIGHTS-OF-WAY**

**Authorized by
Title 9, Chapter 98, Section 98.42
of the City of Akron, Ohio, Code of Ordinances**

Effective: May 31st, 2021

APPROVED:

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1. GENERAL

Introduction: Purpose of Right-of-Way Permits. The primary purpose of the City of Akron's right-of-way permitting is to insure work is constructed to City standards and existing paved surface, utilities, curbs, lawn strips, street trees, and other improvements in City rights-of-way are not damaged by construction. The permitting process also serves as a method to determine the responsible party, should issues or other problems occur during or after construction.

1.1 Design Phase review. Designers are strongly encouraged to contact Plans & Permits during design to verify the required scope of work in the right-of-way per these regulations, the City of Akron's ("City") comprehensive right-of-way ordinances found in Title 9, Chapter 98, Article 10, Section 98, *et seq.* of the Akron Codified Ordinances (the "ACO") (the "ROW Ordinance"), and other applicable law or regulations.

Doing so will help avoid contract changes during the construction phase and help expedite reviewing the necessary right-of-way permits applications.

Please contact Plans & Permits by e-mail at plans&permits@akronohio.gov, or by telephone at 330-375-2010.

1.2 Necessary References. Parties planning to perform construction in City rights-of-way shall perform all work, as applicable, in accordance with the ROW Ordinance and the following of which a current edition should be obtained:

1. These Regulations, "regulations for Construction and Special Activities in Street Rights-of-way." Available online at the Plans & Permits website www.akronohio.gov/pnp
2. "City of Akron Department of Public Service Akron Engineering Bureau Construction and Material Specifications" (CMS) and "Akron Engineering Bureau Standard Construction Drawings" (AEB Std. Dwgs.) Available online at Akron Engineering Bureau website www.akronohio.gov/engineering.
3. The "Ohio Manual of Uniform Traffic Control Devices," Part 6 Temporary Traffic Control, available at the Administration of Contract Sales, 1980 West Broad Street, Columbus, Ohio 44333. Also available online at [Ohio Manual of Uniform traffic Control Devices Temporary Traffic Control](#).

1.3 Permits Required. Each individual or entity granted a right-of-way permit ("Permittee") shall have a copy of all necessary permits and approved drawings on site at all times during construction activities. The City requires one or more of the following permits for special activities in City rights-of-way:

1.3.1 Certificate of Registration & Right-of-Way (ROW) Permits. Required before beginning construction of:

1. All sidewalk, driveway apron, and curb ramp construction.
2. Cutting existing concrete curb for driveways or curb ramps, and/or to install drain holes in existing curbs. If the existing curb is stone, the City does not permit cutting of curb for driveways or curb ramps. In those cases the owner or

contractor shall remove the stone curb at the end of the drive or ramp to existing construction joints, and replace it with concrete curb.

3. All excavations in the right-of-way, except for utility pole replacements.
4. If utilities poles encroach into the sidewalk there must be a minimum of 4' clearance between utility pole and edge of sidewalk to meet ADA requirements.
5. All underground utility connections within the right-of-way.

1.3.2 Oversize House/Load Moving Permit. Required for moving loads larger or heavier than the limits specified in the current [Ohio Department of Transportation Legal Dimension and Weight Limits for Highway Vehicles \(As per Ohio Revised Code Sections 5577.04 5577.05, as may be amended\)](#).

1.3.3 Storm or Sanitary Sewer Permit. When making connections to storm or sanitary sewers within the right-of-way.

1.3.4 Right-of-Way (ROW) Occupation Permit. Required for obstructing part or all of a City right-of-way for the purposes other than lawful vehicular parking that do not require any of the above permits.

1.4 Non Right-of-Way Permits and Fees. Contact the Plans and Permits Center (330-375-2010 or plans&permits@akronohio.gov) to determine if non right-of-way permits and/ or fees are required for your project.

Including, but not limited to:

1. Construction, alteration, repair, removal, or demolition of any structure outside street rights-of-way, or of any structure in/partially in the right-of-way above ground level (such as a skywalk, awning, vault, or sign), or
2. Grading, paving, driveway, excavating, drainage, or filling property outside street rights-of-way.

1.5 Responsible Party. For real property improvement projects, the property owner is ultimately responsible for compliance with permit regulations. For public or private utility company project, the utility is ultimately responsible.

The contractor on the permit is the primary responsible party for fulfilling all permitting requirements.

All contractor responsibilities in these regulations are ultimately the responsibility of the property or utility owner if the contractor defaults.

1.6 Trenchless / Open Cut Method. Underground utilities may be installed by trenchless installation except when otherwise required by the City. Open cut installations will be required in the downtown area and other locations where existing utilities are in close proximity. Trenchless installations do not include cleaning and lining operations. All trenchless installations will be reviewed on a case-by-case basis and should not be the assumed method of installation.

1.7 Interpretation. To the greatest extent possible, these regulations are to be interpreted in harmony with all of the requirements mandated by the ROW Ordinance. Any term used in these regulations and not specifically defined herein, shall have the meaning prescribed to it in the ROW Ordinance. To the extent that these regulations conflict with the ROW Ordinance, the provisions of the ROW Ordinance shall govern.

1.8 Amendment. These rules and regulations are promulgated pursuant to ACO Section 98.207(E), and may be amended at any time by the City's Director of Public Service.

2. PROCEDURE TO OBTAIN NECESSARY RIGHT-OF-WAY PERMITS

2.1 General Application Requirements. All right-of-way permits shall be in the name of the contractor or homeowner (must be primary residence performing the work and that person or entity is responsible for fulfilling all permitting requirements. All contractors are required to register with the City of Akron Plans & Permits per Responsible Contractor AOC.

Applications shall consist of a completed application form, along with all required insurance certificates and drawings. Circumstances which require insurance certificates and drawings are described below.

Submit the application and drawings to the City of Akron Plans and Permits Center, electronically through the Plan Review Web Portal at www.akronohio.gov. If you have questions call 330-375-2010 or email to plans&permits@akronohio.gov.

If your application is returned with review comments requiring resubmittal, include a **written response and clouded changes on the plans** to address each review comment as part of the resubmittal.

2.1.1 Application Form. Use the application form found on the Plans & Permits website www.akronohio.gov/pnp. An Application Form completed with all known information to date is required as part of the initial plans and review submittal for all right-of-way work, except right-of-way work for one, two, or three family dwellings.

2.1.2 Insurance Certificates. Provide current insurance certificates (or a written statement if Plans and Permits already has certificates on file) for the benefiting property or utility owner and each proposed contractor verifying they have commercial general liability insurance for bodily injury and property damage, with a combined annual aggregate in an amount not less than \$3,000,000. The City shall be named as additional insured on each certificate. Endorsements shall be provided upon request of the City.

If the benefiting property is residential, the property owner is not required to have the above insurance unless the property owner performs the work. All contractors working in the right-of-way shall have the coverage described above.

2.1.3 Drawings. Drawings are typically required with all construction permit applications. Notwithstanding, the City does not require drawings for sidewalk, curb drain hole, and curb

restoration work, unless the project also includes other work for which drawings are required or otherwise would be required under these Regulations.

Drawings are always required for:

- A. All proposed curb cuts and driveways;
- B. Excavations more than 12 feet parallel to the right-of-way, measured at the surface; and
- C. Any proposed work for which the City requests drawings in writing.

All plans shall be submitted electronically to the Plans and Permits Center unless otherwise permitted by the City. Drawings shall be in accordance with the following:

1. Use a scale of 1"=50' or less. Provide a graphical bar scale and north arrow on each plan sheet.
2. Show all surface features within 100 feet that the proposed work may affect. Include as a minimum; driveways on both sides of the street, sidewalks, fences and gates, fire hydrants, surface castings such as manholes and water and gas valves, guard posts, guard rails, utility and/or light poles, signs (note type), pavement markings, pavement types and limits of each, ground cover types and limits of each, and trees. **Contact Ohio811 (Ohio Utilities Protection Service), telephone number 811 or 800-362-2764, and REQUEST A DESIGN TICKET for underground utility locations.**
3. For new dwellings, show the proposed downspout drain pipe at locations at the curb.
4. Show the street name(s), property address(es), parcel number(s), limits and width of right-of-way, and side property lines of the subject property.
5. Reference the location and name of the nearest perpendicular/intersecting street.
6. For proposed excavations, show all existing underground utilities within 100 feet of the excavation, and include a cross section of the excavation showing existing and proposed utilities.
7. For proposed excavations, prominently note Ohio811 telephone number, 811, and telephone numbers for any non-subscribing/non-member utilities near the work. If you are doing any work within 3 blocks of a hospital you must notify that hospital construction department. Hospitals and other non-member OUPS utilities may have private utilities in the City of Akron's ROWs and they are typically not a member of Ohio811.
8. If you are installing an underground utility and plan to install location markers or signs, include details and planned locations/spacing of the proposed markers or signs.
9. Include the following notes on each drawing that shows work in the right-of-way:
 - a. ***The contractor (or permittee) shall notify Plans and Permits Inspections at 330-375-2055 for inspection at least 48 hours before work and/or restoration is to begin in the right-of-way.***
 - b. ***The contractor (or permittee) shall notify Traffic Engineering (330-375-2851 or traffic@akronohio.gov) at least 7 days prior to work/restoration beginning.***

- c. ***All pavement, sidewalk, and curb to be removed shall be sawcut full depth, to the nearest original construction joints. All sawcutting shall be done wet and in accordance with the Ohio EPA's current standards including the Fugitive Dust Act. Nearest original construction joints will be the minimum limits of reconstruction.***
- d. ***All reconstruction shall be per Akron Engineering Bureau Standard Drawings and Construction Material Specifications. This can be found at www.akronohio.gov/engineering.***
- e. ***Include applicable construction and Maintenance of Traffic (MOT) notes as determined by the designer. Additional notes may be required by plan reviewers' comments. Updated MOT notes can be found at www.akronohio.gov/pnp.***

2.2 Emergency Work. As used in these regulations, an emergency is a condition that poses a clear and immediate danger to life or health, or of a significant loss of property. Emergency work is work required immediately to insure public safety and/ or restore vital disrupted services. Emergency work is allowed before applying for necessary permits, subject to the following:

1. Upon discovering an emergency situation, the responsible party must immediately contact Plans and Permits by telephone at 330-375-2010, and notify the City of the emergency.
2. Contact OHIO811 (OUPS) to have all underground utilities marked prior to starting work.
3. Within 24 hours of the emergency work starting, the responsible party must notify Plans and Permits Inspections of the work by telephone at 330-375-2055.
4. Within 24 hours of the emergency work starting, the responsible party must notify Traffic Engineering of the work by telephone at 330-375-2851.
5. Within five (5) days of the occurrence or discovery (whichever is the latter), the responsible party shall apply for all necessary permits.

Drawings and other requirements for emergency work are the same as for non-emergency work, except as specifically modified herein.

If Plans and Permits determines the work was not emergency work, or if the permit application is not submitted by the above deadlines, the work will be considered unauthorized. Enforcement penalties for unauthorized work will be applied in accordance with applicable law including the the ROW Ordinance, Sections 98.219 and 98.223.

2.3 Recently Paved Streets. No right-of-way permits will be granted for excavations in streets paved and/ or resurfaced within four years before the date of the right-of-way permit application, except as allowed by ACO Section 98.43. Unless emergency work must be performed as stated in Section 2.2.

If such a permit is granted, the permittee shall be responsible for replacing the pavement surface the full width of the street. The required length and/or scope of the restoration will be determined by the City on a case-by-case basis.

Per ACO Section 98.43, the holder of a right-of-way permit for excavating a recently paved street may also be responsible for paying an additional charge of 2% of the restoration cost for each month of the unelapsed part of the four-year period and in no event less than 10%. This charge is in *addition to* any other applicable right-of-way fee, cost, or charge, and is considered compensation for loss of useful pavement life.

Installation of new communication cables in the downtown region will be required to use existing City-owned conduits or existing private utility conduits, unless no such available conduit exists.

2.4 Deposits, Fees, Surety and or Maintenance Bond, and Penalties. Depending on the type of project as described in Section 5, a deposit will be required at the time of plan submittal or permit request. A surety and or maintenance bond is required for each project and certain contractors or subcontractors may also be required to provide a bond, depending on scope of work. Contact Plans and Permits Center (330-375-2010 or plans&permits@akronohio.gov) for additional information about bonding and deposits. Fees will be deducted from deposits or billed to the designated party. Excess deposit fees will be refunded to the responsible party; a W-9 form is required to process any refunds.

Penalties may be imposed to the responsible party in accordance with ACO Section 98.223 for work which requires a permit and has commenced before or without a permit being issued.

Failure to call for an inspection or to otherwise notify the City about work starting will result in forfeiture of deposits, fines, or other penalties.

Refunds of any leftover deposits are intended to be returned to the designated party after the construction or special activity is completed. Before any refunds are made, inspection and plan review fees will be subtracted from the requested deposits. The designated party will receive an invoice detailing City costs to be subtracted from the deposit, and/or if any funds will be refunded, and/or if any additional fees will be needed.

2.4.1 Bonds. A surety and/ or maintenance bond is required for any work involving the City rights-of-way before a permit will be granted. A bond, if required, will be in effect for a 2 year warranty period starting on the date of the City's final acceptance of work. Required bond amounts are as follows:

1. Commercial projects that involve work within the right-of-way:
 - a. \$10,000 or estimated cost of work within the ROW, whichever is greater.
2. Residential projects that involve work within the right-of-way:
 - a. \$10,000 or estimated cost of work within the ROW, whichever is greater.
3. Utility projects that require disturbance of the right-of-way:
 - a. \$10,000 or estimated cost of work within the ROW, whichever is greater.
4. Restoration or repair of curb, drive apron, and curb **ONLY AND IS NOT INVOLVED WITH A PROJECT:**
 - a. \$10,000 bond is required annually for **CONTRACTORS ONLY.**

3. PRECAUTIONS TO BE TAKEN IN ACTING UNDER THE PERMIT

3.1 Utility Notifications. Per CMS 107.13, the contractor is responsible for the identification, location, and protection of all utilities. The contractor shall provide notice to all utilities that may be affected by the work at least two, but not more than ten, days prior to commencing construction operations.

Notification may be provided to subscribing utilities by calling OHIO811 formally known as *OUPS (Ohio Utilities Protection Service) at 811*; Contractors are responsible for identifying all non-member OUPS utilities, and directly contacting the same prior to the commencement of work.

3.2 Lane Closures. Responsible parties must identify, with specificity, the location and duration of any proposed lane closures as part of the right-of-way application. Unless a City-issued permit allows otherwise, no lane closures are permitted on arterial or collector streets from 7:00 A.M. to 9:00 A.M. and 4:00 P.M. to 6:00 P.M., Monday through Friday.

3.3 Street Closures. Street closures are only permitted in extreme situations. If a street closure is needed, a responsible party must submit a proposed MOT plan to the City of Akron Traffic Engineering at traffic@akronohio.gov, making sure to describe the proposed street closure and proposed detour route. In order to allow sufficient time for review, all closure plans and information must be properly submitted to the City at least 7 days before the proposed closure.

If the Traffic Engineer approves the closure, the contractor should notify all property owners and tenants on the portion of the street to be closed, at least 72 hours before closure. Property owner/tenant notification must be done by posting a physical notice on each property.

3.4 Protecting Trees. Permittees must protect trees during the work in accordance with CMS 669.

3.5 Work Suspension or Restrictions. The City reserves the right to suspend or restrict work and to restrict working hours, if deemed necessary by the Director of Public Service in the Director's sole and absolute discretion.

3.6 Video Recording. The City requires the Contractor to video existing conditions prior to starting work. Televised video recording of all sewers and laterals that are within 100' of trenching or trenchless excavations is required before and after work. Pre and post-construction videos are required to be provided to the City for its record keeping.

Example items that should be videoed.

1. Existing Conditions
 - a. Pavement
 - b. Curb
 - c. Sidewalk
 - d. Drive Apron
 - e. Private Driveways
 - f. Private Sidewalk and Steps
 - g. Fencing

- h. Retaining Walls
 - i. Buildings Abutting the ROW
- 2. Sewer
 - a. Storm
 - i. Inlet Leads
 - ii. Main Line
 - iii. Manholes
 - b. Sanitary
 - i. Laterals
 - ii. Main Line
 - iii. Manholes
- 3. Utility Markings
 - a. If path was laid out prior to any markings that are, and are not, there

3.7 Permits and Approved Drawings Required on Site. All contractors shall have an **ORANGE** right-of-way permit and Plans and Permits' stamped approved drawings on site at all times. City inspectors and/or law enforcement officers will suspend any non-emergency work where a party is working in the City right-of-way without a copy of all necessary documents on site.

3.8 Traffic Control. Contractors are responsible for all necessary traffic control during their work. Traffic control shall be in accordance with the CMS 614 and the Ohio Manual of Uniform Traffic Control Devices for Streets & Highways. Contractor's traffic control devices shall be plainly labeled with the contractor's company name.

Contractors are required to maintain all traffic control devices 24 hours a day until the project is completed.

3.9 Street Cleaning. Contractors are responsible to keep streets free of dirt, mud, and debris resulting from work. If the City has to provide street sweeping or any other remedial service as a result of the contractor's work, the cost of the cleaning will be assessed to the contractor.

3.10 Safety. Contractors are responsible for ensuring the safety of the public and their own personnel, in accordance with CMS 107.

3.11 Right-of-Way Inspection Notifications. Contractors are responsible to contact Plans and Permits Inspection at **330-375-2055**. The following inspections are **MANDATORY** and failure to comply will result in penalties in accordance with ACO Section 98.223:

1. Pre-Construction
2. Backfill
3. Restoration Layout
4. Pre-Pour
5. Final Restoration

3.12 Damage to Utilities. Per CMS 107.13, Contractors are solely responsible to remedy damage to or interruption of service of any utility, including utilities that are not marked, due to

the contractors' operations/work. This includes, but is not limited to any slight damage or "nicks," or if Contractors pull on an existing utility by Contractors' equipment. Contractors unwilling to assume this risk should not work in the City rights-of-way. All such remedies shall be at no cost to the City. Damage to permanent surface markings that identify underground utilities is considered damage to the utility. Contractors must report any observed damaged utilities.

Upon damage to other existing utilities, the contractor is responsible for notifying the following in the following order:

1. 911 Emergency (If needed)
2. OHIO811(OUPS)
3. Owner of damaged utility
4. City Inspector 330-375-2055

For any power outages call 1-888-LIGHTSS.

If a natural gas odor is noticed or any damage is observed to natural gas piping, immediately call 877-542-2630.

3.13 Consequences of Non-compliance. If the work does not comply with applicable standards, or if a defect develops within two years of the date of final approval of right-of-way permit, the City will send a notice of defect to the responsible party. If the responsible party does not remedy the defect within thirty days of the notice, the City may contact the bonding company to have the work completed. The City may also do the repair itself and charge all City costs to the responsible party.

The City will not consider additional permit applications from any party that has an unresolved notice or defect regarding a previous permit, or a past due City invoice. Other penalties may be applied in accordance with ACO Section 98.223.

3.14 Permit Cancellation and Expiration. If a Contractor cancels a permit for a reason not due to the negligence of that Contractor, the City will return any deposits minus City charges to the specified party.

A construction permit is valid only for the dates and the area of rights-of-way specified in the construction permit and, unless otherwise permitted by the Director of Public Service, shall in no event be valid for more than one hundred eighty days from the construction start date. If construction hasn't commenced within one year of the permit's issuance, the permit will automatically expire.

Any deposits that are not requested in writing within six months past the expiration date of the permit without work being performed, will be retained by the City. A six month extension for Right-of-Way Permits may be applied for in writing before the expiration date.

All other permits expire on the date noted on the permit.

4. SPECIFICATIONS

4.1 Standard Specifications and Drawings. All work in City rights-of-way shall be in accordance with the current CMS and AEB Std. Dwgs.. In case of conflict, the requirements of these regulations control over the CMS and AEB Std. Dwgs. The requirements of the AEB Std. Dwgs. control over the requirements of the CMS.

These regulations refer to specific sections and drawings in the above standards for the convenience of Contractors. These references do not relieve a Contractor of its responsibility to comply with other applicable laws, sections, and standard details.

4.2 Pavement/Sidewalk/Curb Removal. Contractors shall minimize the area of removal until final restoration. The party installing the final restoration shall remove any additional material necessary to comply with the final restoration requirements.

All pavement, sidewalk, and curb shall be sawcut full depth. All sawcutting shall be done wet in accordance with the Ohio EPA's Fugitive Dust Act.

All paving brick, sewer castings, and tree grates in the right-of-way is the property of the City.

Contractors shall take care in removing the brick, sewer castings, and tree grates and store it so that it may be reinstalled as part of the final restoration.

Notify Highway Maintenance Superintendent 330-375-2831 of any excess brick and tree grates that will not be reinstalled, which shall be palletized and delivered, as instructed, to the City facility designated by the Highway Maintenance Superintendent.

Notify Sewer Maintenance Superintendent 330-375-2666 of any sewer castings that will not be reinstalled, which shall be palletized and delivered, as instructed, to the City facility designated by the Sewer Maintenance Superintendent.

4.3 Minimum Depth and Clearances. Minimum depths and clearances for underground utilities shall be as follows, unless otherwise approved in writing by the City. Any greater depths and/ or clearances required by other applicable regulations apply and control over this table:

Underground Utility (Including service lines for such utilities)	Minimum Cover Depth below surface	Minimum Horizontal Clearance to other utilities	Minimum Vertical Clearance to other Utilities
Water Supply	4'-6"	As specified in 'Water Line Notes' Included in Sections 6	As specified in "Water Line Notes" included in Section 6
Storm Sewer	2'-0"	4'-0" (5'-0" to steam utilities)	12" (1'-6" to steam utilities)
Sanitary Sewer	3'-6"	4'-0" (5'-0" to steam utilities, 10'-0" to water utilities)	12" (1'-6" to water and steam utilities)
Steam	3'-0"	5'-0"	1'-6"
Natural Gas, Electric,	2'-0"	3'-0" (5'-0" to water)	12" (1'-6" to steam utilities)

Telecommunications, Cable Television, and other utilities not listed above		and steam utilities)	
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New utilities and service connections should not be constructed where they interfere with access to existing utilities.

***Any new utilities with markers such as manhole lids, valves, and handhole lids must have the utilities identification (owners name & contact information) clearly shown.**

Contact information shall consist of company name and phone number. If utility information changes for any reason, the contract information is to be updated within 120 days.

Existing sanitary and storm laterals that will be crossed by trenching or directional boring are required to be televised before and after the work or potholed during construction. The video files for the pre and post-construction shall be submitted to the City on DVD or other media, as acceptable to the City. The Asset ID of the mainline sewer shall be referenced with individual lateral videos named using the street address. Any lateral defects shall be referenced using the Lateral Assessment and Certification Program (LACP).

4.4 Tracer Wire or Electronic Markers. The City encourages the use of tracer wire or electronic markers on all nonmetallic facilities.

4.5 Backfill. Subgrade backfill material below roadway pavement shall be low strength mortar backfill per CMS 917, see AEB Std. Dwgs.BP-6.1 or granular backfill per CMS 551, see AEB Std. Dwgs.BP-6.

4.6 Trench Plates. Steel plates may be used to cover a trench for no longer than 72 continuous hours. Trench plates shall be a size and thickness that will safely span the trench, and shall be securely mounted to prevent movement and noise. Clearly label all trench plates with the contractor name before use.

Provide either hot mix asphalt or cold patch material at the edge of all trench plates that cross the direction of traffic. The material shall ramp from the pavements surface to the top of the plate, and shall be installed the full length of such edges. Maximum slope of such ramps shall be 1.5” vertical on 12” horizontal.

Contractors shall immediately remove trench plate and ramp materials not in use from the right-of-way.

Contractors must provide drums and signs at both sides of the roadway at all trench plate locations.

4.7 Surface Tolerances. Contractors are prohibited from varying the surface of the roadway by more than 3/8 inch from a 4-foot long string held at the ends and stretched tight anywhere over

the new existing surface. This prohibition includes locations where the string is stretched over a casting.

Unless the Highway Maintenance Division representative directs otherwise, the pavement surface may not be more than 3/8 inch above or below the edge of a casting. Maximum pavement slope from the edge of a casting is ½ inch vertical per foot horizontal.

The surface texture shall be smooth and uniform similar to a new asphalt concrete surface, rolled and compacted per CMS 401.

The requirements of this Section 4.7:

- A. Apply in all City of Akron rights-of-way, which include all types of streets; arterial, collector, and residential.
- B. Apply to all paving and casting work, regardless if the project is managed by the City, other public entity, or private developer.
- C. Are in addition to the AEB surface smoothness requirements in CMS Items:

- 401 Asphalt Concrete Pavements – General
- 451 Reinforced Portland Cement Concrete Pavement
- 452 Plain Portland Cement Concrete Pavement

Asphalt restoration will be restricted annually from November 30th through April 1st, weather permitting.

4.8 Temporary Pavement Restoration. Either temporary or final restoration in accordance with the following is required immediately upon completion of backfilling. Temporary restoration is not required if the contractor will be installing the final restoration immediately after backfilling. Temporary restoration shall be in accordance with AEB Std. Dwgs.BP-6 and BP-6.1.

During the winter months (November 30th through April 1st) concrete base will be poured flush with the existing surface course of asphalt on all arterial and collector streets. Concrete caps are not acceptable or permissible.

4.9 Final Right-of-Way Restoration. The party responsible for final restoration is responsible for removing temporary surface courses and additional materials necessary to comply with final restoration requirements. Final right-of-way restoration shall make the condition and appearance of the right-of-way equal to or better than it was before the start of work.

The deadline for completion of all final restoration is 60 days within completion of underground work, unless otherwise required/permitted by the Director of Public Service. Further, final restoration time frames may be extended between November 30th and April 1st. Failure to comply with these time frames will result in fines imposed in accordance with ACO Section 98.233

Contractors must schedule a pre-final restoration walk through with Plans and Permits Inspections (330-375-2055) a minimum of 4 business days before beginning final restoration.

4.9.1 Base Course. Base course restoration for asphalt, concrete, and brick surfaces shall be in accordance with the current AEB Std. Dwgs.BP-6 and BP-6.1. Contractors may be required

to use hot mix asphalt in lieu of Class C concrete base course when directed by a restoration inspector.

If using concrete encasement backfill, such as high voltage electric lines, Contractors must float finish the top of the encasement, and allow it to cure for a minimum of 24 hours before placing additional backfill or base course. If using concrete base course, provide either minimum 6 mil thick polyethylene sheeting, or a minimum one foot depth of properly compacted premium backfill between the top of the encasement and the bottom of the base course. The plastic or backfill is necessary to provide a cold joint, to facilitate pavement removal when full depth pavement replacement becomes necessary.

4.9.2 Asphalt Surfaces. Final pavement restoration for asphalt surfaces shall be in accordance with AEB Std. Dwgs.BP-6 and BP-6.1.

- Please see AEB Std. Dwgs.BP-6.1 for required limits of asphalt surface course restoration, further described as follows:
 - For excavations in asphalt surface streets that are twelve feet long or longer measured parallel to the road, the permit holder is responsible for replacing the surface course the full width of the traffic lane or lanes excavated. Traffic lane width is center to center of existing lane marking, or center of markings to face of curb or curb lanes, unless otherwise noted in the application review comments.
 - The minimum depth of replacement surface is two inches. The minimum length of pavement restoration shall be in accordance with AEB Std. Dwgs.BP-6.1.
 - Where such excavation crosses from one lane to another, the permit holder is responsible for replacing the surface course the full width of both traffic lanes a minimum distance of twelve feet in both directions from where the edge of the excavation crosses the common edge of the two lines.
 - Restoration of pavement placed within the last four years before the date of permit application shall include replacing the surface course the full width of the street. The required length will be determined by the City.

4.9.3 Concrete Surfaces. Concrete surface restorations shall be in accordance with AEB Std. Dwgs. BP-3, BP-4, and BP-6 Detail No. 4, and shall be to the nearest original construction expansion or contraction joints, or edges of concrete. The concrete thickness, joint types and pattern after final restoration shall match the original construction. Creation of additional joints is not permitted. Any reinforcing encountered during removal shall be replaced in kind, and any dowels protruding from existing concrete shall be preserved and incorporated in the new work where feasible.

Minimum concrete thickness for sidewalks in accordance with AEB Std. Dwgs. BP-5.0 and BP-5.1 and shall be six (6) inches and driveway aprons shall be eight (8) inches. In residential areas where the existing sidewalk is less than six inches in thickness, the minimum concrete thickness of driveway aprons, sidewalks used for driveway purposes, and curb ramps shall be six inches. Minimum thickness of other portions of the sidewalk shall be the greater of the existing thickness, or four inches.

When replacing sidewalks at an intersection, the Contractor is required to provide a curb ramp or ramps according to the AEB Std. Dwgs. BP-5.0 through BP-5.6. If one curb ramp at an intersection requires reconstruction, then all curb ramps at the intersection must be brought up to current ADA standards. Resurfacing or pavement restoration a lane or more wide, in accordance with AEB Std. Dwgs. PB-6.1, in an intersection adjacent to the existing curb will necessitate a contractor bringing all curb ramps into ADA compliance. All curb ramps are to be fiber reinforced concrete per CMS ITEM 456.05 and AEB Std. Dwgs PB-5.0

All linear underground utility work behind the curb shall reconstruct existing sidewalk for the limits of the work. Any sidewalk within the work limits that meet the criteria below, as per ACO Section 98.21, must be reconstructed as part of the work:

1. Any block having multiple cracks or any single crack larger than ¼ inch wide;
2. Adjoining sections of a block, or portion thereof, whose edges differ vertically by ¼ inch or more;
3. Blocks having a transverse slope in excess of ¼ inch per horizontal foot toward the street;
4. Blocks having a reverse slope (toward the property) that impounds water to a depth of ¼ inch or more;
5. Blocks having depressions that impound water to a depth of ¼ inch or more;
6. Blocks having disintegrated or deteriorated areas; and
7. Blocks that do not meet current requirements of the ADA.

Sidewalk reconstruction is only required on the side of the street where mainline work is occurring. Sidewalk reconstruction on the opposite side of the street for long-side services, etc. will be limited to the restoration of actual sidewalk disturbance.

4.9.4 Brick or Cobblestone Surface. The City reserves the right to require colored stamped concrete in lieu of bricks or cobblestones. All colored stamped concrete shall be in accordance with current Akron Engineering Bureau standards.

Upon review, if the City approves using bricks, a contractor must obtain new or previously salvaged bricks in accordance with CMS 461.02 as necessary before opening the street. Brick surface restoration shall be in accordance with Drawing BP-6 Detail No. 5.

4.9.5 Signing, Striping, and Marking. The party responsible for final restoration is responsible for:

1. Restoring any affected signing to its original condition
2. Restoring any affected striping and/or markings to their original condition.

4.9.6 Lawn and/or Planting. The party responsible for final restoration is responsible for restoring any affected lawn and/or planting areas to a condition equivalent to, or better than, the original condition, as determined by the City. Any shrubs, groundcover, or turf damaged by the Contractor shall be replaced as directed by the City Arborist and Horticulturist (330-375-2731).

Trees damaged by responsible parties are subject to the damage assessment per CMS 669. The City will replace the damaged trees and assess the responsible party the value of the tree.

4.9.7 Traffic Signal Conduit, Pull Boxes, Loops, etc. The Responsible Party is responsible for any damage to traffic signal conduits, wires, loops, pull boxes, etc. If any traffic control devices are damaged, contact the Traffic Engineering Division (330-375-2851) to arrange for restoration by the Traffic Engineering staff. The responsible party will be billed and City costs accrued to repair any damage by the responsible party.

4.10 House Drains. Residential roof drainage piping in the right-of-way shall be three inches (nominal) in diameter and constructed per Standard Drawing S-2.

4.11 Driveway Aprons. The edge of driveway aprons shall be a minimum of three feet clear of any tree or structure (*i.e.*, utility poles, hydrants, storm inlets, etc.). Responsible parties must contact the City directly to determine whether certain structures and/or trees are able to be relocated or removed.

4.12 Spare Utility Conduits. The City encourages the installation of spare conduits while installing conduits for immediate use. The installing utility may then use the conduits in the future, or lease them to another party.

If a party's conduit needs can be met by use of existing City spare conduits, or space in spare conduits, that party will be required to use the existing conduit as opposed to installing new. A lease agreement will be required with the City in order to use City owned conduits.

Contact City of Akron Communications, 330-375-2225, to verify if conduit is available for leasing.

4.13 As Built Drawings. The responsible party shall arrange for as-built drawings if required by the application review comments.

5. PERMITS AND FEES

ACTIVITIES THAT REQUIRE PERMITS AND REQUIREMENTS

<u>Proposed Activity in Right-of-Way</u>	<u>Fees</u>	<u>Requirements</u>
Sidewalk, drive apron, and/or curb ramp replace or new	Direct City Cost	\$500 Deposit; Contractor Registration; \$10,000 Bond; Sub-Contractor Affidavit; Homeowner Affidavit (if required); W-9
Cutting of curb for proposed driveway or curb ramp in street right-of-way	Direct City Cost	\$500 Deposit; Contractor Registration; \$10,000 Bond; Sub-Contractor Affidavit; Homeowner Affidavit (if required); W-9
Curb drain hole in street right-of-way	Direct City Cost	\$500 Deposit; Contractor Registration; \$10,000 Bond; Sub-Contractor Affidavit; Homeowner Affidavit (if required); W-9
Curb restoration	Direct City Cost	\$500 Deposit; Contractor Registration; \$10,000 Bond;

		Sub-Contractor Affidavit; Homeowner Affidavit (if required); W-9
Trough/trench drain	Direct City Cost	\$500 Deposit; Contractor Registration; \$10,000 Bond; Sub-Contractor Affidavit; Homeowner Affidavit (if required); W-9
All excavations in street rights-of-way, except utility pole replacements.	Direct City Cost	\$500 Deposit; Contractor Registration; \$10,000 Bond; Sub-Contractor Affidavit; Homeowner Affidavit (if required); W-9

Moving and Oversized Load	\$75 per load	Submit Route and Move Time
Right-of-Way Occupancy	\$35 per 100 square feet (or fraction of) Per Month	Submit Maintenance of Traffic Plan(MOT) i.e. location, signs, barricades
Connection of sanitary or storm sewer laterals/ new systems	Direct City Cost	<u>Separate Sewer Permit;</u> \$500 Deposit; Contractor Registration; \$10,000 Bond; Sub-Contractor Affidavit; W-9
New Water Connection	Direct City Cost	<u>Separate Water Connection Permit;</u> \$500 Deposit; Contractor Registration; \$10,000 Bond; Sub-Contractor Affidavit; W-9
Water Service Replacement	Direct City Cost	\$500 Deposit; Contractor Registration; \$10,000 Bond; Sub-Contractor Affidavit; Homeowner Affidavit (if required); W-9

SMALL CELL REQUIREMENT

New small cell facility	\$250 per site	<u>SeparateROW Permit(if needed);</u> Contractor Registration; \$10,000 Bond; Sub-Contractor Affidavit
Small cell co-location	\$250 per site	<u>SeparateROW Permit(if needed);</u> Contractor Registration; \$10,000 Bond; Sub-Contractor Affidavit
Small cell upgrade or replacement	\$250 per site	<u>SeparateROW Permit(if needed);</u> Contractor Registration; \$10,000 Bond; Sub-Contractor Affidavit
Small cell removal	\$250 per site	<u>SeparateROW Permit(if needed);</u> Contractor Registration; \$10,000 Bond; Sub-Contractor Affidavit

UTILITY PROJECT

New or Replacement	Direct City Cost	Contractor Registration; Bond (Estimated Cost of Restoration or \$10K whichever is larger); Sub-Contractor Affidavit
Utility Service New or Repair	Direct City Cost	Contractor Registration; \$10,000 Annual Bond; Sub-Contractor Affidavit
Emergency Repair	Direct City Cost	Contractor Registration; \$10,000 Annual Bond; Sub-Contractor Affidavit

COMMERCIAL PROJECTS

New Building	Direct Cost	\$3500 Deposit; Contractor Registration; Sub-Contractor Affidavit; Bond (Estimated Cost of Restoration or \$10,000 whichever is larger); W-9
Addition/ Alteration	Direct Cost	\$3500 Deposit; Contractor Registration; Sub-Contractor Affidavit; Bond (Estimated Cost of Restoration or \$10,000 whichever is larger); W-9
Site work/ Parking Lots and Expansion	Direct Cost	\$3500 Deposit; Contractor Registration; Sub-Contractor Affidavit; Bond (Estimated Cost of Restoration or \$10,000 whichever is larger); W-9
Interior Alterations (ONLY)	Direct Cost	\$1500 Deposit; Contractor Registration; Sub-Contractor Affidavit; W-9

RESIDENTIAL PROJECTS

New Dwelling	Direct Cost	\$1500 Deposit; Contractor Registration; Sub-Contractor Affidavit; Bond (Estimated Cost of Restoration or \$10,000 whichever is larger); W-9
Dwelling Addition/ Alteration	\$50	Contractor Registration; Sub-Contractor Affidavit; Homeowner Affidavit (if required)
Accessory Structure	\$50	Contractor Registration; Sub-Contractor Affidavit; Homeowner Affidavit (if required)
Site work/ Driveway New or Replacement	Direct Cost	\$500 Deposit; Contractor Registration; \$10,000 Bond; Sub-Contractor Affidavit; Homeowner Affidavit (if required); W-9

Check with the Plans and Permits Center to learn if additional non-right-of-way permits and/or fees are required for your project.

The fee amount for storm, sanitary sewer, and/or water taps will be included in the application review comments.

ROW public way fee charges will be based on flat hourly rate of City costs. The applicant will be charged for the time City personnel spends on plan review and site inspections, including but not limited to City vehicle.

As-built drawings are required upon completion of all work, including emergency work.

All deposits must be paid to “The City of Akron” and remitted to the Plans and Permits Center at the time of plan submittal for review, or before issuance of ROW construction permit.

City Plans and Permits will issue all final invoices for additional fees or refunds upon final acceptance of all completed projects.

Contact the Plans and Permits Center with any questions (330-375-2010 or plans&permits@akronohio.gov).

6. **REFERENCES**

The following items can be referenced when submitting for a permit and plan review. The latest version of the below can be found on the Plans & Permits website www.akronohio.gov/png.

- Permit Application Form
- Akron Engineering Bureau Standard Construction Drawings
 - Or www.akronohio.gov/engineering
- Akron Engineering Bureau Construction & Material Specifications (CMS)
 - Or www.akronohio.gov/engineering
- Plans and Permits Center Inspection Notes
- Traffic Engineering Maintenance of Traffic (MOT) notes
- Water Distribution Water Line Notes
- Public Utilities Bureau Construction Notes for Street Openings