LAKE COUNTY
FLORIDA

Right-of-Way Utilization Permit

Please complete a separate application for each road

Date: _____

_____
Business / Applicant's Name ("Permittee")

_____
Applicant's Street Address

_____
Applicant's City, State, Zip

_____ _____
Telephone Number Applicant's e-mail address

_____/_____/_____
Section Township Range

_____
Project Road Name

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

□ _____/_____
Paid Date Rec'd By

Check appropriate box:

□ Underground Utility □ Overhead Utility □ Wireless Facility □ Other Utilization

Description of Work: _____

_____

_____

Contractor: _____ Telephone Number:_____
Start of Construction Date:_____ Construction duration:_____days
Is proposed work within city limits? _____ If so, what city?_____

Applicant declares that he/she has determined the location of all existing underground and aerial utilities. A letter of notification was mailed on _____ to the following utilities & municipalities:
_____
_____

By submitting and signing this application, the Applicant ("Permittee") declares that he/she has read the attached and agrees to be bound by the permit requirements and any and all general and special conditions herein.

Road # **To be completed by County Staff**

Permit # _____ Permit Fee: $100.00 Fee Code: **PWRW** □ Security Instrument Required

Checked by: _____ Date Checked: _____
Approved by: _____ Date Approved: _____
Special Conditions: _____ Date Permit Expires: _____

_____

For inspection, call the Lake County Public Works Department at 352-253-6019
Submit Permit to: Lake County Public Works, Post Office Box 7800, Tavares, FL 32778

LAKE COUNTY
FLORIDA

Right-of-Way Utilization Permit Requirements

The purpose of a Right-of-Way Utilization permit is to control the use of public rights-of-way and public easements in the interest of the health, safety and welfare of the public. Any work within public rights-of-way and public easements requires an approved right-of-way utilization permit pursuant to Section 14.14.05, Lake County Code/Land Development Regulations. *Once approved, a notice of issuance of the permit may be recorded in the Official Records of Lake County, Florida.*

I. Application Requirements. Unless otherwise noted, permittee must submit one (1) original completed application and the following supporting documentation:

A. A sketch or construction plans drawn to scale, showing the following if applicable to the work:
   1. The offset from the centerline of the right-of-way or roadway to the proposed 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.
   4. 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.

B. Projects of significant length and land size may require a complete right-of-way survey.

II. General Conditions.

A. This permit is a permissive use only and the placing of facilities in public rights-of-way or easements does not create or vest a property right in the permittee.

B. **Permittee agrees that the rights and privileges herein set out are granted only to the extent of the County's right, title and interest in the land to be entered upon and used by the permittee, and the permittee will, at all times, assume all risk of and indemnify, defend and save harmless Lake County, its commissioners and employees 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.**

C. Permittee agrees it is the responsibility of the permittee, not the County, to determine if the work completed meets Americans with Disabilities Act (ADA) requirements and accessibility guidelines.

D. At least fourteen (14) days prior to construction, permittee shall provide the County with proof that written notification has been given by permittee to all adjacent property owners stating the anticipated construction schedule, maintenance of traffic plan, and any impacts to the adjacent properties, if any. The notice must provide the name and telephone number of the permittee or permittee's project manager.

E. Permittee shall post a copy of the approved permit on site at all times during the work.

F. Permittee shall notify the County at least twenty-four (24) hours in advance of starting work. Permittee agrees all work shall take place during daylight hours, unless specifically authorized, and discontinued by sunset with proper signage and traffic control devices maintained during off hours.

G. All work, materials and equipment shall meet all Lake County codes and standards. All right-of-way disturbed by this work shall be restored to its original condition or better and in accordance to applicable County Codes. All disturbed areas must be sodded with sod matching existing grass type. Bahia sod shall be used if no grass is present at time of construction. All work is subject to inspection by the County.

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

I. Final inspection and acceptance of work by the County must be obtained to document the completion of the work.

J. If this permit is being received for sealing, painting or surfacing of a driveway apron located in a right-of-way, the permittee acknowledges that the County is not responsible for maintenance or upkeep of the

sealant or paint. If the permittee or permittee's contractor causes damage to the County's property permittee shall be liable for the current cost of repair or replacement. Permittee shall not saw-cut, obstruct, or remove any portion of a sidewalk within a right-of-way without prior approval from the County.

III. Construction Conditions.

A. Excavation shall not be allowed within five (5) feet from the edge of the pavement, unless prior approval is received from the Lake County Engineer.

B. A traffic detour or lane closure shall require specific approval by the County. All traffic detours shall be restricted to the limits of right-of-way with necessary flagmen and marking devices. All construction and maintenance shall be performed with proper shoring, barricades, and maintenance of traffic signage in accordance with the FHWA Manual on Uniform Traffic Control Devices (MUTCD), OSHA law and regulations, and the Florida Department of Transportation (FDOT) Highway Safety Plan.

C. Written approval from the Lake County Engineer shall be required before any alterations to existing traffic signal equipment including, but not limited to: vehicle detection loops and signal timing. If traffic signal vehicle detection loops are rendered inoperable, temporary detection shall be installed within twenty-four (24) hours. All traffic signal utilities disturbed by this work shall be restored to their original condition or better. Traffic signal utilities include but not limited to: vehicle detection loops, conduit, cabling, pull boxes, pedestrian signal equipment, span assemblies, signal heads, cabinet assemblies, cameras and fiber optic infrastructure.

D. Open cuts of roads will not be allowed unless specifically authorized by Lake County. Underground pneumatic/missile boring is strictly prohibited under Lake County roadways. Only directional bore or jack and bore operations are acceptable. Unless Lake County determines it is impractical, bore operations and excavations shall maintain a five (5) foot minimum clearance from edge of pavement on road crossing each side. Bore depths shall be in accordance with FDOT Utility Accommodation Manual (UAM) unless specifically authorized by Lake County. Minimum bore depth under pavement is thirty-six inches (36") and a minimum bore depth below unpaved ground is thirty inches (30"). Any overhead installations should maintain a minimum of eighteen (18) feet vertical clearance over all roadways and driveways**.**

E. 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 County 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, be removed or relocated by permittee at its own expense.

F. It is agreed that in the event the installation, adjustment or relocation of utilities are scheduled to be done simultaneously with Lake County construction work, the permittee shall coordinate with Lake County before proceeding and shall cooperate with the County's contractor to arrange the sequence of work so as not to delay the work of the County's contractor, defend any legal claims of the County's contractor due to delays caused by the permittee's failure to comply with the approved schedule, and shall comply with all provisions of the law and Lake County's current *Utility Accommodation Manual*.

G. Permittee shall report all right-of-way utilization activities to Sunshine State One-Call at least seventy-two (72) hours prior to commencement.

H. If above ground utilities are being replaced, the old utilities and utility appurtenances must be removed from County right-of-way within thirty (30) days after new utilities are installed.

IV. Guarantee and Compliance.

A. 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 be in a form acceptable to the Lake County Attorney's Office. The security instrument shall be made payable to the Lake County Board of County Commissioners in the amount of one hundred ten percent (110%) of estimated cost to repair such damage, as determined by Lake County, and shall remain in effect until the work covered by the right-of-way utilization permit has been completed and accepted by the County.

B. In the case of noncompliance with the requirements and conditions of this permit, the facility will be brought into compliance by the permittee or removed from the right-of-way or easement by the permittee at no cost to the County.
C. The County 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.
D. Any failure(s) shall be repaired by the permittee, at no cost to the County, within five (5) days, unless the urgency of the problem requires a quicker reaction time. The permittee shall be responsible for all repair costs incurred due to damages to existing utilities, including, but not limited to, errors in locating existing utilities during construction.
E. Removal/Relocation: Whenever the County deems necessary and upon the County's request, any or all of the work or appurtenances authorized by this permit shall be immediately removed from the right-of-way, relocated, and the right-of-way returned to original state, as required by the County, at the expense of the permittee, unless reimbursement is specifically authorized. Upon ten (10) days written notice, the permittee shall be required to remove and relocate the improvements placed within the right-of-way at the applicant's sole expense.

V. Wireless Facilities.

A. Right-of-way may be used for wireless facilities pursuant to Section 337.401, Florida Statutes, Advanced Wireless Infrastructure Deployment Act. Wireless providers are encouraged to collocate.
B. Prior to installing a small wireless facility and associated wireless equipment, a wireless provider shall apply and obtain a right-of-way utilization permit. An application shall be submitted for each facility location. Within fourteen (14) days of submitting an application, the County may request the proposed location for the facility be moved to another location or negotiate an alternative location.
C. In addition to the documents required in Section I above, a wireless provider must submit the following: (1) a sketch of the equipment to be used, (2) the registration and permit fee, (3) proof of insurance, (4) a copy of federal or state certification or license authorizing the permittee to provide communications services.
D. Permittee shall be liable to the County for the costs of any repairs made necessary by any such displacement, damage or destruction of facilities belonging to the County. In the case of an emergency, the County may commence repairs without any prior notice to the registrant.
E. Removal/Relocation of Wireless Facilities: Whenever the County deems necessary and upon the County's written request, permittee shall remove the wireless facility and associated wireless equipment at the expense of the permittee. If permittee fails to remove after 30 days from the County's request, the County may remove or relocate the facilities at the sole cost and expense of the permittee, without the County incurring liability for damages.
F. A wireless provider shall provide the County notice upon any assignment or transfer of this permit, and any assignee, buyer, or transferee shall be bound by these permit requirements.

The County shall not be responsible for damages to any structure, facilities, or equipment placed within the right-of-way by permittee, permittee's successors or assigns. All structures shall be properly maintained by permittee, at permittee's expense, and shall be adequately visible or properly delineated to prevent damage due to normal maintenance of the right-of-way.

I have read, understand, and agree to be bound by the above requirements:

_____	_____	_____
Signature	Print Name	Date