

VILLAGE OF DWIGHT

APPLICATION INFORMATION: RIGHT-OF-WAY PERMIT

Anytime an individual, adjacent property owner, contractor or utility company needs to perform above or underground work within the Village-owned right-of-way, a right-of-way permit is required. A right-of-way permit provides legal access to work within a Village-owned right-of-way or certain easements dedicated for roadway purposes and ensures the work is done safely and meets all applicable codes, ordinances and regulations.

APPLICATION REQUIREMENTS

The following items must be submitted when applying for a right-of-way permit:

- A. A completed and signed application form.
- B. A location map showing the limits of the work and the location of any temporary items placed in the right-of-way (e.g., dumpsters, scaffolding, equipment, etc.)

A performance bond. The Village-approved template can be forwarded to your insurance or surety company for guidance in filling out. A bond will be required in the amount to provide for the reasonably estimated cost to restore the right-of-way to at least as good a condition as that existing prior to the construction under the permit, as determined by the

- C. , and also include reasonable, directly related costs that the Village estimates are likely to be incurred if the permittee fails to perform such restoration.
- D. A written traffic control plan demonstrating the protective measures and devices that will be employed consistent with the Illinois Manual on Uniform Traffic Control Devices, to prevent injury or damage to persons or property and to minimize disruptions to efficient pedestrian and vehicular traffic.
- E. An emergency contingency plan which shall specify the nature of potential emergencies, including, without limitation, construction and hazardous materials emergencies, and the intended response by the applicant. The intended response shall include notification to the Village and shall promote protection of the safety and convenience of the public. Compliance with ICC regulations for emergency contingency plans constitutes compliance with this Section unless the Village finds that additional information or assurances are needed.
- F. Drawings, plans and specifications showing the work proposed, including the certification of an engineer that such drawings, plans, and specifications comply with applicable codes, rules, and regulations.
- G. Evidence of insurance as required in Section 45-8 of the Dwight Right of Way Ordinance.
- H. Evidence of posting of the security fund as required in Section 45-10 of the Dwight Right of Way Ordinance.
- I. Any request for a variance from one or more provisions of the Dwight Right of Way

Ordinance.

J. Such additional information as may be reasonably required by the Village.

K. Application fee as provided by Dwight Right of Way Ordinance.

In addition to the requirements of stated above, the permit application shall include the following items, as applicable to the specific utility that is the subject of the permit application:

- 1) In the case of the installation of a new electric power, communications, telecommunications, cable television service, video service or natural gas distribution system, evidence that any "Certificate of Public Convenience and Necessity" or other regulatory authorization that the applicant is required by law to obtain, or that the applicant has elected to obtain, has been issued by the ICC or other jurisdictional authority;
- 2) In the case of natural gas systems, state the proposed pipe size, design, construction class, and operating pressures;
- 3) In the case of water lines, indicate that all requirements of the Illinois Environmental Protection Agency, Division of Public Water Supplies, have been satisfied;
- 4) In the case of sewer line installations, indicate that the land and water pollution requirements of the Illinois Environmental Protection Agency, Division of Water Pollution Control and the Metropolitan Water Reclamation District, [other local or state entities with jurisdiction], have been satisfied; or
- 5) In the case of petroleum products pipelines, state the type or types of petroleum products, pipe size, maximum working pressure, and the design standard to be followed.

APPLICATION REVIEW AND APPROVAL

A. Completed permit applications, containing all required documentation, shall be examined by the Village Engineer/Director of Public Works within a reasonable time after filing. If the application does not conform to the requirements of applicable ordinances, codes, laws, rules, and regulations, the Village Engineer/Director of Public Works shall reject such application in writing, stating the reasons therefor. If the Village Engineer/Director of Public Works is satisfied that the proposed work conforms to the requirements of this Article and applicable ordinances, codes, laws, rules, and regulations, the Village Engineer/Director of Public Works shall issue a permit therefor as soon as practicable. In all instances, it shall be the duty of the applicant to demonstrate, to the satisfaction of the Village Engineer/Director of Public Works, that the construction proposed under the application shall be in full compliance with the requirements of this Article.

B. Additional Village Review of Applications of Telecommunications Retailers.

- 1) Pursuant to Section 4 of the Telephone Company Act, 220 ILCS 65/4, a telecommunications retailer shall notify the Village that it intends to commence work governed by this Article for facilities for the provision of

telecommunications services. Such notice shall consist of plans, specifications, and other documentation sufficient to demonstrate the purpose and intent of the facilities and shall be provided by the telecommunications retailer to the Village not less than ten (10) days prior to the commencement of work requiring no excavation and not less than thirty (30) days prior to the commencement of work requiring excavation. The Village Engineer/Director of Public Works shall specify the portion of the right-of-way upon which the facility may be placed, used and constructed.

- 2) In the event that the Village Engineer/Director of Public Works fails to provide, such specification of location to the telecommunications retailer within either (i) ten (10) days after service of notice to the Village by the telecommunications retailer in the case of work not involving excavation for new construction or (ii) twenty-five (25) days after service of notice by the telecommunications retailer in the case of work involving excavation for new construction, the telecommunications retailer may commence work without obtaining a permit under this Article.
- 3) Upon the provision of such specification by the Village, where a permit is required for work pursuant to Section 4 of this Article the telecommunications retailer shall submit to the Village an application for a permit and any and all plans, specifications and documentation available regarding the facility to be constructed. Such application shall be subject to the requirements of Subsection (a) of this Section.

C. Additional Village Review of Applications of Holders of State Authorization Under the Cable and Video Competition Law of 2007. Applications by a utility that is a holder of a State-issued authorization under the Cable and Video Competition Law of 2007 shall be deemed granted forty-five (45) days after submission to the Village, unless otherwise acted upon by the Village, provided the holder has complied with applicable Village codes, Ordinances, and regulations.

INSPECTIONS

The following inspections may be required. It is the applicant's responsibility to request the inspection by calling Dwight Village Hall. Please schedule inspections a minimum of 72 hours in advance by calling 815-584-3077 Monday through Friday from 8:00 a.m. to 4:30 p.m. If you find you must cancel an inspection, please notify Dwight Village Hall in advance to ensure that you will not incur additional fees. You may reschedule the re-inspection at the time of cancellation.

1. A Traffic Control Inspection may be required if noted on the permit. The inspection should be scheduled at the time of the initial traffic control set-up to verify that the devices are consistent with the approved plan and are functioning as intended.
2. A Site Final Inspection will be required upon completion of the work to ensure that all areas have been properly restored to pre-construction conditions. For area with turf restoration, this inspection may be deferred until the grass has been established.

FEES

Fees shall be set as established by Dwight Ordinance. Additional fees may be assessed based on the scope and duration of the work and the need for additional Village inspections.

Future Pavement Restoration Fees will be assessed for any permits that require pavement patching. Patches degrade the overall quality of the pavement and effectively shorten the life of the pavement. The fee amount will be determined at the time of application and will be based on the size of the patch and the type and age of the roadway.

FRANCHISE AGREEMENTS

Contractors working under the authority of an existing franchise agreement with the Village are still required to obtain a right-of-way permit for work within the Village's right-of-way. However, permit fees are waived and maintenance bonds are not required.

CONTACT INFORMATION

Cory Scoles
Director of Public
Dwight Village Hall
209 S. PRAIRIE AVE
Dwight, Illinois, 60420
815-584-1128

VILLAGE OF DWIGHT
RIGHT-OF-WAY PERMIT APPLICATION

Fees: \$100.00 plus \$0.25 per linear foot

Amount of linear foot _____ **X 0.25** _____ **+ \$100.00 =** _____

LOCATION OF WORK (adjacent street address or general description):

APPLICANT INFORMATION

COMPANY _____
STREET ADDRESS _____
CITY, STATE ZIP _____
PHONE _____
CONTACT NAME _____
PHONE _____
EMAIL _____

CONTRACTOR INFORMATION

COMPANY _____
STREET ADDRESS _____
CITY, STATE ZIP _____
PHONE _____
CONTACT NAME _____
PHONE _____
EMAIL _____

EMERGENCY CONTACT NUMBERS:

Please provide 24-hour contact information for at least two responsible individuals that can respond to issues associated with the work site. One number may be provided for a 24-hour dispatch center.

EMERGENCY CONTACT #1: NAME _____ PHONE _____
EMERGENCY CONTACT #2: NAME _____ PHONE _____
EMERGENCY CONTACT #3: NAME _____ PHONE _____

DETAILED PROJECT DESCRIPTION:

PROJECT INCLUDES (check all that apply):

- | | |
|---|--|
| ☐ Excavation of roadway pavement | ☐ Temporary roadway closure impacting traffic |
| ☐ Excavation of sidewalk pavement | ☐ Temporary sidewalk closure impacting pedestrian traffic |
| ☐ Parkway/grass restoration required | ☐ Parkway tree removal or trimming |

FRANCHISEAGREEMENT:

If the work to be performed is covered under an existing franchise agreement, indicate the franchisee and any additional information pertinent to the agreement.

CONFIRMATION:

IT IS HEREBY UNDERSTOOD BY THE UNDERSIGNED THAT UNDER THE PENALTY OF INTENTIONAL MISREPRESENTATION AND/OR PERJURY, I DECLARE THAT I HAVE EXAMINED AND/OR MADE THE APPLICATION AND IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I AGREE TO CONSTRUCT SAID IMPROVEMENT(S) OR PERFORM SAID EVENT(S) ACCORDING TO AND WITH ALL PROVISIONS OF THE ORDINANCES OF THE VILLAGE OF DWIGHT AND ANY AND ALL COUNTY, STATE AND FEDERAL STATUTES AND/OR CODES. I REALIZE THAT THE INFORMATION THAT I HAVE AFFIRMED HEREON FORMS THE BASIS FOR THE ISSUANCE OF THE RIGHT-OF-WAY PERMIT HEREIN APPLIED FOR AND APPROVAL OF THE PLANS AND SPECIFICATIONS OR EVENT INFORMATION SUBMITTED WITHOUT VARIATION UNLESS PRIOR WRITTEN APPROVAL IS OBTAINED FROM THE VILLAGE ENGINEER/DIRECTOR OF PUBLIC WORKS IN CONNECTION THEREWITH. APPROVAL SHALL NOT BE CONSTRUED TO PERMIT ANY CONSTRUCTION UPON OR WITHIN SAID RIGHTS-OF-WAY OR USE THEREOF IN VIOLATION OF ANY PROVISION OF ANY ORDINANCE OF THE VILLAGE OF DWIGHT OR TO EXCUSE THE OWNER OR HIS/HER SUCCESSORS AND ASSIGNS FROM COMPLYING THEREWITH.

NOTICE: THIS APPLICATION IS NOT A PERMIT AND IN NO WAY AUTHORIZES THE APPLICANT OR CONTRACTOR TO CONSTRUCT/PERFORM ANY WORK OR HOLD AN EVENT WITHIN THE VILLAGE'S RIGHTS-OF-WAY WITHOUT THE ISSUANCE OF A VILLAGE RIGHT-OF-WAY PERMIT.

SIGNATURE OF APPLICANT _____

DATE _____

The parties agree that this document may be electronically signed. The parties agree that any electronic signatures appearing on this document are the same as handwritten signatures for the purposes of validity, enforceability, and admissibility.

Sample Bond

KNOW ALL PERSONS BY THESE PRESENTS, that

We _____ as Principal, and
_____ as Surety, are held
and firmly bound unto _____

as Obligee, in the full sum of _____
(\$ _____) for the payment of which sum, well and truly to be made, we bind ourselves, our
heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these
presents.

WHEREAS, the said Principal entered into a contract with _____ dated
_____, _____ for the work designed as

_____.

WHEREAS, said contract provides that the Principal will furnish a bond conditioned to
guarantee for the period of _____ year(s) after approval of the final
estimate on said job, by the owner, against all defects in workmanship, and materials which may
become apparent during said period and

WHEREAS, when the said contract has been completed, and approved

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if

Within _____ year(s) from the date of approval of the said contract, the
work done under the terms of said contract shall disclose poor workmanship in the execution of
said work, and the carrying out of the terms of said contract, or it shall appear that defective
materials were furnished there under, then this obligation shall remain in full force and virtue,
otherwise this instrument shall be void.

Signed and sealed this _____ day of _____ 20_____.

PRINCIPAL: _____

BY _____

SURETY: _____
