



City of Arcadia  
23 N. Polk Avenue,  
Arcadia, FL 34266

### RIGHT OF WAY UTILIZATION PERMIT

ONE ROAD PER PERMIT  
ROAD NAME: \_\_\_\_\_

DATE: \_\_\_\_\_  
ROAD NUMBER: \_\_\_\_\_

#### APPLICANT INFORMATION

Permit No: \_\_\_\_\_ (assigned by City of Arcadia)  
APPLICANT NAME: \_\_\_\_\_ TELEPHONE NO: \_\_\_\_\_  
CONTRACTOR: \_\_\_\_\_ TELEPHONE NO: \_\_\_\_\_  
ADDRESS PERMIT WILL BE RETURNED TO: \_\_\_\_\_  
DESCRIPTION OF WORK: \_\_\_\_\_

WILL THIS PROJECT RESULT IN ANY NEW ABOVE GROUND STRUCTURES, POLES, OR FACILITIES? IF YES, STATE WHERE AND WHAT IS PROPOSED\*. \_\_\_\_\_

\*Applicant may be required to provide an engineer's certification that roadway clearance and sight distances have been met.

START OF CONSTRUCTION DATE: \_\_\_\_\_ FOR HOW MANY DAYS: \_\_\_\_\_  
PROPOSED WORK IS WITHIN THE CORPORATE LIMITS OF THE CITY OF ARCADIA: YES \_\_\_ NO \_\_\_

Applicant declares that he/she has determined the location of all existing underground and aerial utilities.  
Applicant declares that he/she has read the requirements and conditions of attached and agrees to all stated conditions by signing below.

Permitee/Applicant by affixing their signature below provides assurance to the City of Arcadia that this permit has been submitted with prior approval from the City of Arcadia Utility Department by commencing work under this permit and assumes and agrees to all 22 conditions stated herein.

PERMITEE/  
APPLICANT: \_\_\_\_\_  
(Signature) (Printed Name)

NAME and TITLE of authorized PERMITEE/AGENT: \_\_\_\_\_

DATE: \_\_\_\_\_ ATTESTED: \_\_\_\_\_

City Use Only	
SPECIAL CONDITIONS: _____	
Checked by: _____	Approved by: _____
Date: _____	Date Approved: _____



## RIGHT-OF-WAY PERMIT APPLICATION

The purpose of this permit is to control utilization of the public right-of-way and public easements lying within the City of Arcadia in the interest of public health, safety and welfare of the citizens and inhabitants. Any work within the City right-of-way requires an approved right-of-way utilization permit.

## SUBMITTAL REQUIREMENTS

Submit two (2) copies of the application and backup material FOR EACH ROAD (one original and one copy) to the City of Arcadia Building Department.

Completed applications shall have the following attached (all submittals shall be made part of this permit):

1. A sketch or construction plans drawn to scale, showing the offset from the centerline of the right-of-way or road to the proposed utility installation, the road right-of-way width and pavement width, the distance from the edge of pavement to the utility, sidewalks and location of all other utilities within the work area.
2. One or more typical cross sections as required to adequately reflect the location of utility shall be shown. The minimum vertical clearance above or below the pavement or natural ground shall be indicated.
3. Additional information such as the location in relation to the nearest road intersection, bridges, railroad crossing and other physical features shall be indicated on the sketch. Also, a location or vicinity map shall be provided to assist with the general location of the installation and should indicate, at a minimum, the applicable Section, Township and Range.
4. All permit applications must demonstrate that the proposed improvement conform to the right-of-way utilization requirements included in the City of Arcadia Code of Ordinances.
5. A complete right-of-way survey may be required for projects of significant length and size at the City Engineer's discretion.

## CONDITIONS:

1. whenever necessary for the construction, maintenance, operation or alteration of the right-of-way, as determined by the City, any or all the appurtenances authorized by this permit shall be immediately removed from the right-of-way or relocated, as required by the City, at the expense of the Applicant unless reimbursement is specifically authorized.
2. All work, materials and equipment shall meet all City codes and standards and shall be subject to inspection by the City. All right-of-way disturbed by this work shall be restored to its original condition as far as practicable and in accordance to City codes.
3. The construction and maintenance of this utility shall not interfere with the property and rights of a prior applicant.
4. Where possible, excavation will not be allowed within four (4) feet from the edge of the pavement. Situations that cannot meet this requirement shall require the approval of the City.
5. The city shall be notified seventy-two (72) hours in advance prior to starting work. In the interest of public safety all operations shall take place during daylight hours, unless specifically authorized.
6. All traffic detours will be restricted to the limits of right-of-way with necessary flagman and marking devices. A traffic detour or lane closure shall require specific approval of the City.
7. All utility construction and maintenance shall be performed with proper shoring, barricades and maintenance of traffic signage in accordance with the Manual of Uniform Traffic Control Devices, with the regulations of Florida Industrial Safety Board and the Florida Department of Transportation Safety Manual.

8. In the case of noncompliance with the City's requirement, this permit will be void and the facility will be brought into compliance or removed from the right-of-way at no cost to the City.
9. The city may issue "Stop Work" orders upon any permittee who 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.
10. The City shall not be responsible for damages to any structure placed within the right-of-way. All structures shall be properly maintained, adequately visible or properly delineated to prevent damage due to normal maintenance of the right-of-way.
11. It is expressly stipulated that this permit is a license for permissive use only and that the placing of facilities upon public property pursuant to this permit shall not operate to create or vest any property right in said holder.
12. It is understood and agreed that the rights and privileges here et out are granted only to the extent of the city's right, title and interest in the land to be entered upon and used by the holder, and holder will, at all times, assume all risk of an indemnify, defend, and save harmless the city from and against any and all loss, damage, costs or expenses arising in any manner on account of the exercise or attempted exercised by said holder of the aforesaid rights and privileges.
13. Open cuts of roads will not be allowed unless specifically authorized by the City, call 863-494-6746 for inspections between 8 AM and 2 PM.
14. 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 City 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 to the utility or its agent by the City, be removed or relocated by such utility at its own expense.
15. It is agreed that in the event the installation, adjustment or relocation of said utilities are scheduled to be done simultaneously with the City construction work, the PERMITEE will coordinate with the City before proceeding and shall cooperate with the City's contractor to arrange the sequence of work so as not to delay the work of the Town's contractor, defend any legal claims of the town'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 the Town's current Utility Accommodation Manual. The permittee shall not be responsible for delay beyond its control.
16. The permittee has researched the available right-of-way width and location and has shown the public right-of-way on the attached plans or sketch. The permittee shall be solely responsible for damages to private property outside of the public property and the authority of this permit.
17. Applicant/Permittee has made no unauthorized changes to this form.

For more information contact:

Judi Jankosky  
Assistant City Administrator  
City of Arcadia  
23 N. Polk Avenue  
Arcadia, FL 34266  
Phone: 863-494-4114  
Fax: 863-494-4712